

## SENATE.

WEDNESDAY, December 4, 1918.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we thank Thee that in this great Union of sovereign States there is a dominant spirit of submission to the Divine will. Throughout the length and breadth of this land there are multiplied millions who reverence the name of the God of our fathers. We pray that Thy servants in the Senate, expressing the thoughts and ideals of the great States of the Union, may also have a consciousness of the Divine presence and a supreme desire to honor and reverence Thy holy name. Give us to-day Thy guidance as we commit ourselves to the unerring counsel of the Divine mind. For Christ's sake. Amen.

IRVINE L. LENROOT, a Senator from the State of Wisconsin, appeared in his seat to-day.

The Journal of yesterday's proceedings was read and approved.

## PRICE OF WHEAT.

Mr. GRONNA. Mr. President, I have before me a letter written by Judge Glasgow, chief counsel of the Food Administration, which I am going to ask to have read. I deem it of great importance, and I am only sorry that so few Senators are present.

However, before the letter is read, if I may be permitted, I want to say that I have received a great many letters not only from citizens of my State but from citizens of other States with reference to the guaranteed price of wheat for the year 1919. I have answered a great many of them and stated the facts as I understand them to be. I have read in some of the newspapers of the country that the guaranteed price of wheat for 1919 could in fact not be carried out, but that the wheat guaranty would end with the war. This, as I understand it, not only places the Food Administration and the Department of Agriculture in a false light, but I think it also reflects upon the Chief Executive of the Nation, because the President of the United States has by proclamation fixed the price of wheat for 1919. While it is true, Mr. President, that no appropriation has been made for putting into effect the organization necessary to carry it out, that can, of course, be done by Congress, and I expect it will be done by Congress. Such an agency was designated to carry out this agreement for 1918, and I assume that Congress will enact legislation that will make it possible to carry out the guaranty for 1919.

I ask to have the letter read at the Secretary's desk, and I also ask that the proclamation made by the President of the United States on September 2, 1918, and which is printed in the Official Bulletin, be printed in the Record.

The VICE PRESIDENT. Without objection, leave will be granted, and the Secretary will read as requested.

The Secretary read the letter, as follows:

UNITED STATES FOOD ADMINISTRATION,  
Washington, D. C., December 3, 1918.

Hon. ASLE J. GRONNA,  
United States Senate, Washington, D. C.

DEAR SENATOR: Referring to our conversation this morning, I have seen in at least one newspaper the statement that "the wheat guaranty is to end with the war," and I have seen in at least one newspaper the statement that "the conclusion of peace will terminate the effectiveness of the Government's guaranteed price for the 1918-19 wheat crop," and there could not be a more misleading or more inaccurate statement, as it is directly contrary to the act of Congress, the proclamation of the President made in pursuance thereof, and the uniform information given out by the officers of the Food Administration and the Grain Corporation.

By the proclamation of February 21, 1918, the President fixed the guaranteed price for wheat harvested in the United States during the year 1918 and offered for sale before the 1st day of June, 1919, and to carry out and make effective the guaranty for the 1918 harvest the President by Executive order of June 2, 1918, designated the Food Administration Grain Corporation as the agency of the United States for the purpose.

By proclamation of September 2, 1918, the President, under the authority of the act of Congress known as the Lever Act, fixed and determined the reasonable guaranteed price of wheat for the crop of 1919 for the principal primary markets, such price being \$2.26 at Chicago and at other markets at a relative price, and the proclamation proceeds as follows:

"The sums thus determined and fixed are guaranteed by the Government of the United States at the principal primary markets of the United States, above mentioned, to every producer of wheat at any grade so established under the United States grain-standards act, upon the condition that said wheat is harvested in the United States during the year 1919 and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States or other person as may be hereafter designated, etc."

While the agency has been designated for the 1918 crop, the agency to carry out this guaranty for the 1919 crop has not yet been designated.

Therefore the end of the war or the proclamation of peace does not in any way affect the present guaranteed price made by the United States Government for the wheat harvested in the year 1919. The only condition to the effectiveness of the guaranty is that such wheat

should be offered for sale before the 1st day of June, 1920. Neither the officers of the Food Administration nor of the Grain Corporation have ever suggested any other view or have expressed any other opinion.

It is proper for me to say, however, that it is very probable that it will be necessary that Congress should be called upon to aid financially and perhaps by the creation of additional agencies to make good the guaranty as to the wheat harvested in the year 1919, and when the proper time comes and sufficient information is at hand upon which to base a recommendation Congress will undoubtedly be apprised of the whole situation and its powers be invoked for the maintenance of the guaranty made under its authority.

Believe me, very truly,

W. A. GLASGOW, JR.,  
Chief Counsel.

The proclamation by the President of the United States is as follows:

PRESIDENT EXPLAINS PLANS TO INSURE FAIR WHEAT PRICE FOR CROPS GROWN IN 1919—BASIS OF GOVERNMENT GUARANTY—COMMISSION TO BE APPOINTED NEXT SPRING TO REPORT ON ALL FACTORS NOW OR THAT MAY THEN EXIST TO GUIDE HIM IN DECISIONS.

MEMORANDUM.

SEPTEMBER 2, 1918.

In issuing to-day the Government's guaranty of the same price for the 1919 wheat crop that was guaranteed for the 1918 crop I wish it to be understood that in the spring of 1919 I will appoint a disinterested commission, who will secure for me the facts by that time disclosed as to the increased cost of farm labor and supplies, using the three-year prewar average prices of wheat, of labor, and of supply costs as a basis, and that from this information I shall determine whether there should be an increase in price above the present level, and, if so, what advance, in order to maintain for the farmer a good return. Should it then appear that an increase is deserved over the present guaranty, however, it will be applied only to those who have by next harvest already marketed their 1918 wheat.

It is the desire and intention of all departments of the administration to give to the wheat grower a fair and stimulative return in order that the present acreage in wheat may be maintained.

I find a great conflict of opinion among various sections of the country as to the price that should be named as a minimum guaranty. It must be obvious to all, however, that the factors which will make for increased or decreased cost of production of next year's harvest can not be determined until the near approach to the harvest.

In giving a guaranteed price for wheat one year in advance (the only industry guaranteed by the Government) there is involved a considerable national risk. If there should be peace or increased shipping available before the middle of 1920, Europe will naturally supply itself from the large stores of much cheaper wheat now in the Southern Hemisphere; and therefore the Government is undertaking a risk which might in such an event result in a national loss of as much as \$500,000,000 through an unsalable surplus; or, in any event, in maintaining a high level of price to our own people for a long period subsequent to freedom in the world's markets.

Despite this, the desirability of assuring a supply to the world of prime breadstuffs by insuring the farmer against the fluctuations in prices that would result from the uncertainties of the present situation and from the speculation those uncertainties entail, seems to me to make the continuation of the guaranty for another year desirable. On the other hand, it is clear that before increasing this liability by large sums with the risks set forth above, and before increasing the burden of the consumer, the matter should be subjected to searching inquiry at the appropriate time—the time when the pertinent facts will be known.

I feel confident that with this preliminary fixed guaranty, and with the assurance that justice will in any event be done to the grower, he will continue the fine patriotic effort by which he has served the country hitherto; that the Government will have acted prudently; and that the consumer will be satisfied that his interests are not unduly sacrificed, but just and exhaustive consideration given to every element of the matter at the proper time.

WOODROW WILSON.

PROCLAMATION GUARANTEEING PRICE FOR THE WHEAT CROP GROWN IN 1919 IS ISSUED BY PRESIDENT WILSON.

[By the President of the United States of America.]

## A PROCLAMATION.

Whereas under and by virtue of an act of Congress entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved by the President on the 10th day of August, 1917, it is provided, among other things, as follows:

"SEC. 14. That whenever the President shall find that an emergency exists requiring stimulation of the production of wheat and that it is essential that the producers of wheat, produced within the United States, shall have the benefits of the guaranty provided for in this section, he is authorized, from time to time, seasonably and as far in advance of seeding time as practicable, to determine and fix and to give public notice of what, under specified conditions, is a reasonable guaranteed price for wheat, in order to assure such producers a reasonable profit. The President shall thereupon fix such guaranteed price for each of the official grain standards for wheat as established under the United States grain standards act approved August 11, 1916. The President shall from time to time establish and promulgate such regulations as he shall deem wise in connection with such guaranteed prices, and in particular governing conditions of delivery and payment; and differences in price for the several standard grades in the principal primary markets of the United States adopting No. 1 northern spring or its equivalent at the principal interior primary markets as the basis. Thereupon the Government of the United States hereby guarantees every producer of wheat produced within the United States that, upon compliance by him with the regulations prescribed, he shall receive for any wheat produced in reliance upon this guarantee within the period, not exceeding 18 months, prescribed in the notice, a price not less than the guaranteed price therefor as fixed pursuant to this section. In such regulations the President shall prescribe the terms and conditions upon which any such producer shall be entitled to the benefits of such guaranty."

Now, therefore, I, Woodrow Wilson, President of the United States, by virtue of the powers conferred upon me by said act of Congress, and especially by section 14 thereof, do hereby find that an emergency exists requiring stimulation of the production of wheat, and that it is essential that the producers of wheat produced within the United States

shall have the benefits of the guarantee provided for in said section, and in order to make effective the guaranty by Congress for the crop of 1919 and to assure such producers a reasonable profit I do hereby determine and fix and give public notice of reasonable guaranteed prices for No. 1 northern spring wheat and its equivalents at the respective principal primary markets as follows, to wit:

New York, N. Y., \$2.39½ per bushel.  
Philadelphia, Pa., \$2.39 per bushel.  
Baltimore, Md., \$2.38½ per bushel.  
Newport News, Va., \$2.38½ per bushel.  
Duluth, Minn., \$2.22½ per bushel.  
Minneapolis, Minn., \$2.21½ per bushel.  
Chicago, Ill., \$2.26 per bushel.  
St. Louis, Mo., \$2.24 per bushel.  
Kansas City, Mo., \$2.18 per bushel.  
Omaha, Nebr., \$2.18 per bushel.  
New Orleans, La., \$2.28 per bushel.  
Galveston, Tex., \$2.28 per bushel.  
Tacoma, Wash., \$2.20 per bushel.  
Seattle, Wash., \$2.20 per bushel.  
Portland, Oreg., \$2.20 per bushel.  
Astoria, Oreg., \$2.20 per bushel.  
San Francisco, Cal., \$2.20 per bushel.  
Los Angeles, Cal., \$2.20 per bushel.  
Salt Lake City, Utah, \$2 per bushel.  
Great Falls, Mont., \$2 per bushel.  
Pocatello, Idaho, \$2 per bushel.  
Spokane, Wash., \$2 per bushel.

And that the guaranteed price for the other grades established under the United States grain standards act, approved August 11, 1918, based on said price for No. 1 northern spring wheat at the respective principal primary markets of the United States above mentioned, will assure the producers of wheat produced within the United States a reasonable profit; the guaranteed prices in the principal primary markets above mentioned being fixed by adopting No. 1 northern spring wheat or its equivalents at the principal interior markets as the basis.

For the purposes of such guaranty only I hereby fix the guaranteed prices at the respective principal primary markets above mentioned for the following grades of wheat, to wit, No. 1 northern spring, No. 1 hard winter, No. 1 red winter, No. 1 Durum, No. 1 hard white. The guaranteed prices at the respective principal primary markets aforesaid of all other grades of wheat established under the United States grain standards act approved August 11, 1916, shall be based on the above-guaranteed prices and bear just relation thereto.

The sums thus determined and fixed are guaranteed by the Government of the United States at the respective principal primary markets of the United States above mentioned, to every producer of wheat of any grade so established under the United States grain standards act, upon the condition that said wheat is harvested in the United States during the year 1919, and offered for sale before the 1st day of June, 1920, to such agent or employee of the United States, or other person, as may be hereafter designated, at any one of the above-mentioned cities, which are hereby declared to be the principal primary markets of the United States, and provided that such producer complies with all regulations which may be hereafter promulgated in regard to said guaranty by the President of the United States.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done in the District of Columbia this 2d day of September, in the year of our Lord 1918, and of the independence of the United States of America the one hundred and forty-third.

[SEAL.]

WOODROW WILSON.

#### PETITIONS AND MEMORIALS.

Mr. SHERMAN. I present resolutions adopted by the congregation of the First Congregational Church, of Decatur, Ill., in regard to the observance of a universal Thanksgiving Day. I ask that they be received and properly referred.

The VICE PRESIDENT. The resolutions will lie on the table.

Mr. SHERMAN. I present a copy of a resolution from the Home Market Club, of Boston, Mass., in regard to the preparation of peace conditions, which I should like to have printed in the Record. It is very short.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

#### RESOLUTION IN FAVOR OF A PROTECTIVE TARIFF.

We remind the people of the country that we were unprepared for war. We warn the country that we are unprepared for peace. While every other great nation among the belligerents has given careful and constant study to the problems of reconstruction, we face the future without plan or program or preparation. We still retain upon our statute books a tariff law passed nearly a year before the outbreak of the war and which is entirely unsuited to the new conditions which will confront us now that the war has ended. It was clearly demonstrated before the war that the Underwood-Simmons tariff law brought distress to the country, unemployment to labor, and loss and bankruptcy to business. The energies of the Nations will now be directed to industry and commerce. Competitive conditions will be restored and the struggle for world markets will be renewed. The war brought tremendous expansion to our industries and largely increased wages to labor. These industries can not prosper nor can labor be properly remunerated if competition with foreign countries is unregulated and the importation of competitive goods is unrestricted. We believe in the maintenance of the American standard of living, in the ample reward of labor, and in a fair profit for business enterprise. These ends can be obtained only by such a measure of protection as will safeguard our industries, and we respectfully urge upon Congress the necessity of reenacting an adequate protective tariff.

Mr. HALE presented a petition of sundry citizens of Maine, praying for the enactment of legislation to prevent any German or Austrian reservist or other person opposed to the United States from returning to the United States for any purpose whatever, which was referred to the Committee on Foreign Relations.

Mr. LODGE presented resolutions adopted by the New England Hardware Dealers' Association, favoring universal mili-

tary training and the establishment of a league of nations, which were referred to the Committee on Foreign Relations.

He also presented resolutions of the South Middlesex Conference of Unitarian Churches of Massachusetts, favoring the establishment of a league of nations to maintain peace, which were referred to the Committee on Foreign Relations.

Mr. MOSES presented resolutions adopted by Local Division No. 1, Ancient Order of Hibernians, of Manchester, N. H., requesting the President to use his influence in securing the freedom of Ireland, which were referred to the Committee on Foreign Relations.

#### ARKANSAS RIVER BRIDGE.

Mr. SHEPPARD. From the Committee on Commerce I report back favorably, without amendment, the bill (H. R. 13153) extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark., and I submit a report (No. 615) thereon. I call the attention of the Senator from Arkansas [Mr. ROBINSON] to the bill.

Mr. ROBINSON. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

#### BILLS INTRODUCED.

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CALDER:

A bill (S. 5086) amending the act approved March 3, 1918, relative to the incorporation of the National Conservatory of Music of America; to the Committee on the Library.

By Mr. POINDEXTER:

A bill (S. 5087) granting one month's extra pay to all officers and enlisted men honorably discharged from the Army, Navy, or Marine Corps on or after November 11, 1918; to the Committee on Military Affairs.

By Mr. BANKHEAD:

A bill (S. 5088) to amend an act entitled "An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes," approved July 11, 1916; to the Committee on Post Offices and Post Roads.

By Mr. GORE:

A bill (S. 5089) to provide for the acquisition of a site and the erection thereon of a public building at Henryetta, Okla.; and

A bill (S. 5090) to authorize the acquisition of a site and the repairing and enlargement of a Federal building thereon at Okmulgee, Okla.; to the Committee on Public Buildings and Grounds.

#### CONTROL OF RAILROADS.

Mr. SMITH of Georgia. Mr. President, I send to the desk a bill which I ask to have read.

The VICE PRESIDENT. In full?

Mr. SMITH of Georgia. Yes. It is short. I wish to say that I consider it pertinent to perhaps the most important problem of our reconstruction. It deals somewhat with the railroad problem and suggests a step preparatory and probably necessary to the return of the railroads to their owners.

The bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918, was read the first time by its title, the second time at length, and referred to the Committee on Interstate Commerce, as follows:

A bill (S. 5085) to amend an act entitled "An act to provide for the operation of transportation systems while under Federal control, for just compensation of their owners, and for other purposes," approved March 21, 1918.

Be it enacted, etc., That the "Act to provide for the operation of transportation systems while under Federal control, for the just compensation of their owners, and for other purposes," approved March 21, 1918, be, and the same is hereby, amended as follows:

That the following provision of section 10 of said act is hereby repealed:

That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission, which said rates, fares, charges, classifications, regulations, and practices shall not be suspended by the commission pending final determination.

Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct, but the Interstate Commerce Commission shall, upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President as establishes or changes any rate, fare, charge, classification, regulation, or practice of any carrier under Federal control, and may consider all the facts and circumstances existing at the time of the making of the same. In determining any question concerning any such rates, fares,



charges, classifications, regulations, or practices or changes therein, the Interstate Commerce Commission shall give due consideration to the fact that the transportation systems are being operated under a unified and coordinated national control and not in competition.

"After full hearing the commission may make such findings and orders as are authorized by the act to regulate commerce as amended, and said findings and orders shall be enforced as provided in said act: *Provided, however*, That when the President shall find and certify to the Interstate Commerce Commission that in order to defray the expenses of Federal control and operation fairly chargeable to railway operating expenses, and also to pay railway tax accruals other than war taxes, net rents for joint facilities and equipment, and compensation to the carriers, operating as a unit, it is necessary to increase the railway operating revenues, the Interstate Commerce Commission in determining the justness and reasonableness of any rate, fare, charge, classification, regulation, or practice shall take into consideration said finding and certificate by the President, together with such recommendations as he may make."

That the following provision is hereby substituted for the provision repealed:

"Sec. 2. That during the period of Federal control, whenever in his opinion the public interest requires, the President may initiate rates, fares, charges, classifications, regulations, and practices by filing the same with the Interstate Commerce Commission. Said rates, fares, charges, classifications, regulations, and practices shall be reasonable and just and shall take effect at such time and upon such notice as he may direct; but the Interstate Commerce Commission may of its own initiative, and shall upon complaint, enter upon a hearing concerning the justness and reasonableness of so much of any order of the President, heretofore or hereafter made, as establishes or changes any rates, charges, classifications, regulations, or practices of any carrier under Federal control, and may consider all the facts and circumstances in connection therewith, and said rates, fares, charges, classifications, regulations, and practices may be suspended or modified by the commission pending final determination.

"After full hearings the commission may make such findings and orders as are authorized by the act to regulate commerce, as amended, and such findings and orders shall be enforced as provided in said act."

Mr. SMITH of Georgia. If the Senate will permit me for just one moment, I will state that the object of this bill is to strike out from the present act authorizing the control of the railroads by the President the provision that permits changes to be made by the President or by the Director General of Railroads in the rates, fares, regulations, and management of the railroads without the control of the Interstate Commerce Commission. This bill will restore to the Interstate Commerce Commission the right to suspend any order passed by the Director General of Railroads with reference to rates or to review and modify any such order on its own initiative without waiting for complaints. It is intended to entirely restore to the Interstate Commerce Commission, now that the war is over, the jurisdiction over railroads and rates, even though in the hands of the President, which it had when they were in the hands of private owners.

#### MINING CLAIMS IN ALASKA.

Mr. JONES of Washington. Mr. President, on October 5, 1917, the Senate passed a joint resolution suspending the section of the Revised Statutes requiring certain annual assessments and improvements to be made upon mining claims. Congress has passed a special act relating to assessments for the Territory of Alaska. It was thought for some time that the joint resolution applied to Alaska as well as to the continental part of the United States.

A very serious question has been raised as to whether or not that is true; and in order to avoid complications I have prepared a joint resolution extending the provisions of the joint resolution of October 5 to Alaska. I desire to present it and have it referred to the Committee on Territories. I trust that the chairman of the Committee on Territories will call the committee together at an early date to consider the matter.

The joint resolution (S. J. Res. 190) extending to the Territory of Alaska the provisions of the joint resolution entitled "Joint resolution to suspend the requirements of annual assessment work on mining claims during the years 1917 and 1918," approved October 5, 1917, was read twice by its title and referred to the Committee on Territories.

#### THE REVENUE.

Mr. GORE submitted an amendment intended to be proposed by him to the bill (H. R. 12863) to provide revenue, and for other purposes, which was referred to the Committee on Finance and ordered to be printed.

#### THE PRESIDENT.

Mr. FLETCHER. Mr. President, I desire to have printed in the RECORD an editorial appearing in the Christian Science Monitor of November 25, 1918. I commend the editorial to those who are engaged in the rather small partisan business of criticizing the President.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

#### THE PRESIDENT.

Now that the war is over some of the conditions in the United States which the war created are either passing away automatically or are threatened with speedy removal. This newspaper pointed out, when the United States entered the conflict, that the Government of the Re-

public would, for the time being, become practically a dictatorship, more power being delegated to the President during the continuance of hostilities than had in modern times been granted to the rulers of most monarchies.

The United States is a Government in which the voice of the public rules. If the public in an emergency expresses its willingness temporarily to suspend ordinary processes its right to do so can not be questioned, even though this may involve, as it has involved since April, 1917, many departures from strict constitutional methods and common usages. By tacit and general consent of the people it was agreed that the President, in the conduct of the war, should be given full power to act. In this, Congress, whether it liked it or not, and there was no serious dissent in that quarter, had to acquiesce. Thus, in a sense, the Republic became for the duration of the war virtually an autocracy. What the President said became law.

He sought certain authority beyond that with which he was constitutionally vested; the public backed his demand; Congress granted it. He was enabled to do on his own motion that which, in the ordinary course of procedure, would require the sanction of Congress and a favorable opinion from the Supreme Court. The great end in view was the winning of the war, and the public, having implicit confidence in the Executive, permitted him to go about the winning of it in his own way. His way proved successful, so far as the part of the United States in the conflict was concerned.

In granting their President plenary power in the conduct of the Nation through one of the most critical periods of its history the people surrendered not an iota of the power belonging to themselves. They reserved the right to withdraw from him all the authority they had conferred at the turn of a hand or the quiver of an eyelash, should he fail in the performance of his duty; vox populi was the real autocrat; Woodrow Wilson simply its instrument.

Much stir is now made among a certain group in the Senate concerning the necessity of shearing President Wilson of his extraordinary or extraconstitutional powers, but even the most urgent in demanding that the country return to normal conditions in government are reluctant to say that the return shall be immediate. The war is over, but certain questions growing out of its triumphant conclusion remain to be settled. It may be said to be the universal belief in the United States that President Wilson should not be limited, either in the influence or in the authority which he shall take with him to the peace conference. What the so-called "revolting" Republican Senators are demanding more particularly is that the legislative branch of the Government shall reclaim and maintain its coordinate power with the Executive in carrying on the work of reconstruction.

In this position the people, when the proper time arrives, will be found on their side, and there is not the shadow of a reason to suppose that the President will be found in opposition. When the peace of the world is established, as it will be very soon, on a foundation of common justice, the Government of the United States will slip back into its normal groove without the slightest friction. Thenceforth, or until some other exceptional emergency calls for extraordinary procedure, Congress, as the Constitution prescribes, will make the laws and the President will execute them, as usual. No democratic institution has been undermined, impaired, or even threatened, by recent departures from the letter of the Constitution; the Constitution and the country are alike safe so long as they are made to serve the purposes of the people.

It is not a very wholesome symptom that, almost before the ink with which Germany has signed away her hope of becoming a dominating world power is dry, marking as the act does the greatest triumph of democracy in a century, if not in all history, certain irreconcilables in the United States Senate should be afforded opportunity of misrepresenting and attempting to belittle a man whom the whole world cheerfully recognizes as one of the most important factors in the achievement of this victory. There is no excuse for impugning the motives, much less for questioning the loyalty of Woodrow Wilson to the United States Constitution and to American ideals. It is not only nonsensical but exceedingly dangerous at this time, when hidden evil forces are seeking every possible means of expression, every possible method of propagating suspicion, discontent, and sedition among the masses, that men in high public office should indulge, through partisan rancor, in aspersions tending to create disunion among good citizens.

Common sense, common prudence, and ordinary judgment should, one would think, impel those intrusted with public responsibility to take a broader than partisan view of the work that lies before the President at this juncture. He is responding to a world invitation in consenting to attend the peace conference. His presence at the board is sought because his counsel is everywhere esteemed. The Nation he will represent should feel proud of the honor conferred upon him. It has stood behind him in the making of war; it should stand behind him in the making of peace.

#### PEACE TERMS.

Mr. FRELINGHUYSEN. Mr. President, I submit a resolution and ask that it be read by the Secretary.

The resolution (S. Res. 364) was read, as follows:

Whereas the President has informed Congress that the bases of peace outlined by him on the 8th of January last have been accepted by the allied Governments and by the central empires, and that it is his duty to see that no false or mistaken interpretation is put upon them; and Whereas the President has never stated his own interpretation of such bases and the same, particularly those relating to "a league of nations" and the "freedom of the seas," are open to various interpretations, some of which may be in conflict with established national traditions; and

Whereas the President has announced that the various steps in the approaching negotiations abroad shall be promptly made known to the American people: Therefore be it

*Resolved*, That the President be, and he is hereby, respectfully requested to make publicly known his own interpretation of his proposed peace terms as presented to Congress January 8, 1918, and not attempt to impose such interpretation upon the international conference about to assemble until full opportunity is presented to the American public to become acquainted with the same, to the end that this Nation may not be committed to policies in contravention of the traditions of the United States; and be it further

*Resolved*, That a copy of this resolution be forthwith transmitted to the President.

Mr. FRELINGHUYSEN. I ask unanimous consent for five minutes' time to express my views on this resolution before it



goes to the Committee on Foreign Relations, the proper committee to which it should be referred.

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. FRELINGHUYSEN. Mr. President, in his address to Congress of December 2 the President informed us that the bases of peace outlined by him to us on the 8th of January last have been accepted by the allied Governments and by the central empires, and by way of explanation of his trip to Europe he stated that it was his duty to see "that no false or mistaken interpretation is put upon them."

In view of this explanation it requires no argument to show that various interpretations may be placed upon the bases of peace which he outlined. Some of the bases relate not merely to a settlement of the present war, but to our relations in the future with all Governments. Heretofore we have been guided by certain traditions. The immortal Washington in his farewell address gave certain advice which we have religiously followed. He said:

Europe has a set of primary interests which to us have none, or a very remote relation. Hence she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore, it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics, or the ordinary combinations and collisions of her friendships or enmities.

It may well be that conditions have so changed that we should no longer follow advice by which we have been guided for more than a century. As a representative of the people, it seems to me that we should not bind ourselves to a policy at variance with it unless certain that such is the will of the people.

The fourteenth basis proposed by the President reads:

A general association of nations must be formed under specific covenants for the purpose of affording mutual guaranties of political independence and territorial integrity to great and small States alike.

Does this basis mean that we will join with European nations in a guaranty of the political independence and territorial integrity of all States both great and small? Does it mean that to preserve such territorial integrity and political independence we will in fulfillment of our guaranty use whenever necessary our Army and Navy? Does it mean that henceforth we must take part in all political and territorial disputes throughout the world? We have among us many who came to our shores and the children of many who came to our shores because of the constant quarrels and jealousies of European nations and because of the fear that such quarrels and jealousies might any day involve them in war. I do not say that we should not do our utmost to prevent future wars. That I concede is our duty, but if we propose to obligate ourselves to use our Army and Navy whenever necessary in any part of the world to preserve peace, we should be certain that we are conforming to the will of those whom we represent.

The President is the chosen leader of the United States. Any proposal which he may make will naturally carry with it great weight. If he proposes in behalf of the United States the use of its Army and Navy to preserve the peace of the world, or if he assents to any such proposal if made by another nation, what position will the Senate be in should such a proposal be adopted? Constitutionally we will be free to exercise our own judgment and to accept or reject any treaty which the Executive may negotiate. Will we, however, be free from embarrassment should other nations say to us, Your Chief Executive spoke in behalf of the American public and supposedly voiced their views? That brings me to the point of my motion. Is the President sure that his interpretation of the bases of peace is the interpretation of the American public? As he has never made known such interpretation, how can we be sure? Should he not, in all justice, before he makes any proposal on such momentous questions make known to the public what interpretation he places upon his fourteenth basis, and should he not afford the public an opportunity to voice its opinion?

The fourteenth basis is not the only one which involves a comparison of our past traditions with what should be our policy in the future. During the Civil War in order to preserve the Union we found it necessary to insist upon and to exercise the right to condemn cargo owned by a neutral and shipped from one neutral port to another neutral port where it appeared that such cargo was ultimately intended for transshipment to the enemy. In Europe the doctrine of ultimate destination was disputed, but if that doctrine had not been practiced during the present war who will dare say what would have been the result? Certainly the prevention of supplies reaching Germany through neutral countries contributed in no small measure to her defeat. Can anyone here tell me what is the true interpretation of the second basis of peace outlined by the President in January last? It reads:

Absolute freedom of navigation upon the seas, outside territorial waters, alike in peace and in war, except as the seas may be closed in whole or in part by international action for the enforcement of international covenants.

If such had been the rule during the Civil War could supplies have flowed uninterruptedly from Europe to the South by way of Mexico? If in force during the present war, could supplies have flowed uninterruptedly from North and South America to Germany through Holland? I confess that I do not know what is the true interpretation of the phrase "absolute freedom of navigation upon the seas," and as a representative of the people I respectfully suggest that if the President's interpretation involves a departure from our traditions he should not propound such interpretation as a proposal in behalf of the American public unless he is certain that the American public approves it. How can he be certain that the American public approves an interpretation which has never been made known to it?

It is hardly necessary for me to call attention to any other basis of peace proposed by the President to illustrate my viewpoint. There has never been a time in our history which called for greater caution and wisdom. There has never been a time when the practice of pitiless publicity, so frequently advocated by the President, was more urgently required. The American public is a reading public, a thinking public. It does not hesitate and will not hesitate to express its opinion if afforded an opportunity. In my opinion the President should not in behalf of the American public make proposals which involve a radical departure unless he is certain that his proposal carries with it the approval of the people. Though we are not bound by any treaty which he may negotiate, still, in view of the fact that he was chosen by the people to the highest position in the country, other nations may not recognize that his proposals are subject to our review and may feel affronted should we differ from him. It is his duty as well as ours to act for the people; and, to avoid misunderstanding, it seems to me that the people should be told by him what is the interpretation which he places upon his bases of peace and should be advised to what extent he intends in their behalf to propose a policy which may involve an abandonment of our traditions. All I ask is that the public should be taken into the confidence of the President, that he should afford the public an opportunity to express its views, and, should it appear that there is a pronounced view upon any subject, that he will not run counter to it. It is for such reason that I have introduced my motion.

Mr. WALSH. Mr. President, in the very pertinent remarks made by the distinguished Senator from New Jersey [Mr. FRELINGHUYSEN] he adverted to the rather embarrassing position in which the Members of the Senate would be placed in the exercise of their constitutional duties should the peace conference act in accordance with and confirm the 14 points that were advanced by the President as the proper basis for the treaty of peace in his address to Congress on the 8th of January last. Of course, as indicated by the Senator from New Jersey, every Senator will be at liberty to exercise his own judgment concerning the matter of confirming or rejecting any treaty that may be submitted to the Senate; yet, as stated by the Senator from New Jersey, every Senator holding adverse views will be laboring under very particular embarrassment, these views having been presented by the Chief Executive of the country at the peace conference.

I want to submit, Mr. President, that the embarrassment will be increased, however, by the fact that this address was made to Congress nearly a year ago. On the 8th day of January last the President announced his views as to the kind of a treaty of peace which should be made. Up to within six weeks of this time I have no recollection that any Member of the Senate has expressed any divergence from those views thus announced by the President. We have heard within the last 30 or 60 days no little criticism of these 14 points as a proper basis for peace, and much has been said concerning the indefiniteness of these declarations and of the necessity for further elucidation of their meaning in order to clear up the obscurity which may inhere in them.

Mr. POINDEXTER. Mr. President—

Mr. WALSH. Just a moment.

Now, Mr. President, we shall be under an added embarrassment by reason of the fact that we did not speak earlier, as it seems to me, in relation to these 14 points. If the address to which we have listened this morning by the Senator from New Jersey had been made immediately upon the address of the President in January last, of course the world would have been put upon notice that the President did not speak the universal voice of the people of America; but it seems to me, Mr. President, that, in the absence of any particular criticism of the address



down to within the most recent times, the people of the world very justly assumed that the views thus expressed by the President were indorsed by this great Nation.

Now I yield to the Senator from Washington.

Mr. POINDEXTER. I should like to ask the Senator from Montana if it is not true that he heard at the time the President made this address and various other addresses on the terms of peace—some of them made even before we had begun the war and continued at frequent intervals from that time down to the present—criticism of the President for discussing terms of peace while we were endeavoring to concentrate our energies upon gaining the victory?

Mr. WALSH. I have no such criticisms in mind. I do not undertake to say that they were not made; but that is not the point that I am making. The President did declare that a treaty ought to be made upon the basis that he laid down; and I undertake to say that, in this body at least, down to within 60 days no dissent has been made from those principles; at least I speak from my own recollection about the matter.

Mr. KNOX. Mr. President—

Mr. WALSH. I have yielded to the Senator from Washington [Mr. POINDEXTER].

Mr. KNOX. May I correct the Senator from Montana as to the facts?

Mr. WALSH. I have yielded to the Senator from Washington.

Mr. KNOX. May I have the floor for a moment?

Mr. POINDEXTER. I will conclude in just a moment.

Mr. KNOX. Very well.

Mr. POINDEXTER. Mr. President, I want to say in my own behalf as an individual, enjoying the right of independent opinion, as every other citizen of the country does, and in whatever responsibility devolves on me as a Senator of the United States, that I do not feel that I am in default in not having expressed opinions on this subject and I do not believe that the American people are in default upon it.

My understanding of the attitude of those who differed with the President in regard to this matter is that they deprecated the continuous discussion by the President, or by anybody else, especially anyone else in authority, of peace, and the cry of peace, peace, peace, and what the terms of peace should be, before we had even been able to mobilize our resources to gain the victory which was the essential foundation for any peace, whatever its terms might be.

Mr. KNOX. Mr. President—

Mr. WALSH. I now yield to the Senator from Pennsylvania.

Mr. KNOX. Mr. President, referring to the specific proposition of the Senator from Montana [Mr. WALSH] that he had not heard in this body any dissent from the views expressed by the President last January, I wish to call the Senator's attention to the fact, which he has evidently overlooked, that, so far from this body being estopped from criticizing the points made by the President, the action of this body, at least technically, stands adverse to those points, and for this reason: Within a day or two after the President had delivered his address announcing the 14 points the Senator from Illinois [Mr. LEWIS] introduced into the Senate a resolution approving the conditions of peace announced by the President. That resolution was referred to the Committee on Foreign Relations; it was taken up by that committee for consideration, and it was developed that to press the resolution would be to cause a spirited and untimely discussion of the subject upon the floor of the Senate, which would not be to any advantage; and that resolution lies to-day in the pigeonholes of the Committee on Foreign Relations.

Mr. WALSH. Mr. President, the fact remains, however, as I have stated, that no one has arisen on the floor, until the Senator from New Jersey spoke this morning, to express the slightest dissent.

I now desire to add further that in the month of May, 1916, in a public address delivered in this city, which was introduced as a part of the CONGRESSIONAL RECORD, the President announced, in a general way at least, his adherence to the idea of a league of nations for securing the permanent peace of the world. I have no recollection of any particular criticism upon the floor of the Senate of the views thus expressed by him until within the last 60 days.

Mr. FRELINGHUYSEN. Mr. President—

The VICE PRESIDENT. Does the Senator from Montana yield to the Senator from New Jersey?

Mr. WALSH. I yield.

Mr. FRELINGHUYSEN. Do I understand the Senator from Montana to assert that the American public are irrevocably committed to the 14 principles as declared nearly 11 months ago by the President of the United States?

Mr. WALSH. No; I have not said so, and I have not said that any Senator is irrevocably committed; but I do say that any Senator who has remained silent for a year after these views of the President have been expressed and after the people of the world have had just reason for believing that he spoke the views of the American people ought to hesitate a little bit now about voicing his criticism.

Mr. FRELINGHUYSEN. May I state, in reply to the Senator from Montana, that at that time we were at war, the outcome of which was in doubt, and it was the feeling of many Senators, including myself, that at that time it was not proper to criticize the peace terms of the President.

Mr. JOHNSON of California and Mr. KELLOGG addressed the Chair.

The VICE PRESIDENT. The Senator from California.

Mr. JOHNSON of California. Mr. President, I am very glad, indeed, that the resolution was presented by the Senator from New Jersey [Mr. FRELINGHUYSEN], and much that he says finds a very responsive echo in my own thought. I feel, as the Senator from Washington [Mr. POINDEXTER] has stated, that no man upon this floor is estopped from questioning, opposing, or controverting the terms that were laid down by the President in his address of January last. I recall that address most vividly. I remember that after that address was made and the general principles announced in it there were some of us who dissented very vigorously from it, and I recall, too, that just one month later the President of the United States made another address, in which, substantially, he said that his previous terms were tentative and that they constituted but a provisional sketch. I do not state his language exactly; I state my interpretation of it. I remember also that after that February address some of us commented upon it and expressed our approval of it and our approval of the fact that it was a modification of the January address.

As the Senator from New Jersey well says, we are to-day in the situation that we do not know the President's interpretation of what he has stated regarding terms of peace; the American people do not know the President's interpretation of his 14 points. Some of them are nebulous; some of them are yet indefinable; some of them as yet are not understood; and the President of the United States has departed, or is about to depart, for a foreign shore, leaving the American people neither understanding what he meant nor knowing what he goes for.

Mr. PITTMAN. Mr. President—

Mr. JOHNSON of California. He says that he goes for the purpose, as I understood his address the other day, of interpreting to somebody else the terms of peace that he laid down in January last. What we ask, not in any partisan spirit at all but echoing what our people ask, is that he interpret first to the American people and to the American Congress.

Mr. PITTMAN. I wanted to ask a question of the Senator from California.

Mr. THOMAS. Mr. President, I rise to a parliamentary inquiry.

The VICE PRESIDENT. The Senator from Colorado will state his parliamentary inquiry.

Mr. THOMAS. Has morning business been concluded?

The VICE PRESIDENT. It has not.

Mr. THOMAS. Then I ask for the regular order.

The VICE PRESIDENT. Concurrent and other resolutions are in order.

#### PEACE TREATIES.

Mr. BORAH. Mr. President, I offer a resolution, which I think is pertinent particularly at this time, and ask that it may be read and lie on the table.

The resolution (S. Res. 365) was read and ordered to lie on the table, as follows:

Whereas the President of the United States on January 8, 1918, declared that the first prerequisite of a durable peace was "open covenants openly arrived at, after which there shall be no private international understandings of any kind, but diplomacy shall proceed always frankly and in the public view"; and

Whereas this was a clear denunciation of secret diplomacy, the chief weapon of despotism, and the most prolific source of the world's disturbance; and

Whereas no covenants of peace can be concluded or be binding upon the people of the United States except through treaties ratified by the Senate of the United States; and

Whereas the people who waged and won this war in behalf of democracy are entitled to know in advance of their being bound by the terms of any treaties of peace: Therefore be it

Resolved, That when such treaty or treaties of peace relative to the termination of this war are transmitted to the Senate of the United States for consideration it or they shall at once and as soon as received be made public, and that the consideration of the same and all discussions relative thereto shall be in the open sessions of the Senate.

## THE PRESIDENTIAL OFFICE.

Mr. SHAFROTH. Mr. President, before the morning business is closed, I should like to secure unanimous consent to comment for a few minutes upon a case which appears to me as in point with regard to the discussion which occurred yesterday of the powers of the President when he leaves the territorial limits of the United States. I shall take only a few minutes—not more than 10 or 15 minutes.

The VICE PRESIDENT. Is there any objection? The Chair hears none.

Mr. SHAFROTH. Mr. President, I have found a case in the Seventy-eighth Missouri Reports, at page 139, entitled *State ex rel. Crittenden against Walker*, which, it seems to me, covers this matter better than any case that has been presented or any case that I have been able to find. It relates to the question as to what is the power of the governor upon leaving the State, and as to whether or not a lieutenant governor can take upon himself the powers of the governor as soon as the governor crosses the boundary of his State. It arose when Mr. Crittenden was governor of Missouri, and when he went to New York upon some business affairs of the State and was gone a considerable length of time. When he came back his salary was held up by the auditor on the ground that he had been out of the State, that there had been a lieutenant governor administering the affairs of the State, and therefore that he was not entitled to receive all of his month's salary from the State.

I will read extracts from the opinion:

"The question presented, therefore, is, Can the governor who absents himself from the State for the purpose of performing duties imposed upon him by the constitution and laws of the State be deprived of his salary during such absence? The attorney general, in an argument characterized for its plausibility and ingenuity, insists that he can, and bases his argument on the following section of the constitution: 'In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the governor, the powers, duties, and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the lieutenant governor.' It is insisted that by virtue of this section, in case of the absence of the governor from the State for any purpose or for any period of time, however short, that pro tempore he ceases to be governor, and all executive functions, as well as the emoluments of the office, devolve upon the lieutenant governor."

I will call attention to the fact that that section is much more specific than the clause of the Constitution of the United States, because the clause in the Federal Constitution does not refer to absence in specific terms. It says simply:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President."

There is no reference to his absence from the territory of the United States. It is a pure question of ability or inability to perform the duties of the office. The opinion continues:

"We are of the opinion that the construction contended for is too narrow, is not warranted by the section. Treating conviction or impeachment either as meaning conviction on impeachment, conviction of any crime as well as impeachment, it will be perceived that there are five specified causes, upon the happening of any one of which the duties and powers, as well as the salary of governor, devolve upon the lieutenant governor. It will be observed that four of these causes, viz, death, conviction on impeachment, failure to qualify, and resignation, are of such nature as absolutely to create a vacancy in the office; and all of the four are of such character that no one of them can occur without its being a matter of such public notoriety as to be known throughout the State in 24 hours after the death, impeachment, failure to qualify, or resignation occurs, thus not leaving in doubt or to conjecture the right of the lieutenant governor to assume at once the performance of the duties and powers of the gubernatorial office and to receive the emoluments thereof.

"In view of the fact that the death, impeachment, failure to qualify, or resignation of the governor involves necessarily a vacancy in the office, and the further fact that whenever any one of the above events occurs the right of the lieutenant governor is not left open to question or doubt, it may well be insisted upon, as it is by relator, that the fifth specified cause, viz, 'absence from the State,' does not mean either an absence from the State for the purpose of performing a duty imposed by law upon the governor or a mere casual absence of a few days, but that it is necessarily implied from its connection with the other specified causes that such absence must be of such a character as to indicate on the part of the governor an abdication for the time being of the duties of the office, and such as, in the opinion of the governor, would make it necessary for him to call

upon the lieutenant governor to take his place and perform such duties as the condition of business in his office and the exigencies likely to arise might require during such absence, and when so called upon his authority to act could neither be questioned nor his right to the emoluments of the office denied until the governor returned and resumed his place.

"Speaking for myself, and using the language of *Ludeling, C. J.*, in the case of the *State ex rel. Warmoth v. Graham* (26 La. Ann., 568; s. c., 21 Am. Rep., 551), when a like question was under consideration, I do not believe 'that it was ever contemplated that the movements of the governor should be watched with a view that the lieutenant governor \* \* \* should slip into his seat the moment he stepped across the borders of the State.'

"It is neither provided by the constitution nor by any law of the State how the absence of the governor from the State shall be ascertained or made known either to the people or to the lieutenant governor, so as to authorize him to assume the functions of the executive office or to impart knowledge of the fact to the people of his authority so that it may be recognized and unquestioned.

"In the event of the death, impeachment, failure to qualify, or resignation of the governor no such difficulty presents itself. If the lieutenant governor or auditor may assume to determine that any absence of the governor from the State, without reference to the purpose of the absence or the character and extent of it, is such an absence as for the time being ousts him of his office and casts upon the lieutenant governor the powers, duties, and emoluments of the office, why might they not, in passing upon the meaning of the words occurring in said said section 'or other disability of the governor,' determine that he was disabled by reason of insanity, without waiting for the judgment of the court pronouncing him insane, in a proceeding to determine that question by inquest of lunacy.

"The only authority we have found upon the question is the case of the *State ex rel. Warmoth v. Graham* (26 La. Ann., 568), which was a proceeding by mandamus to compel the auditor to pay the warrant of the governor for his salary from the 6th to the 19th of May, 1871, and from the 26th of June to the 17th of July, 1871. The auditor refused to pay this warrant on the ground and for the reason that during said periods the governor was absent from the State and that the duties of governor, as well as his salary, devolved upon the lieutenant governor, to whom the salary had been paid.

"Under the constitution and laws of Louisiana, it is provided, as it is in our Constitution, that in the absence of the governor from the State, or his inability to discharge the duties of the office, the powers and duties as well as the salary of the office devolve upon the lieutenant governor. It was held in that case that it was the duty of the auditor to pay the warrant, and as it is the only case in point we have been able to find it is deemed not inappropriate to quote what was said by the court in the disposition of the question, which is as follows:

"It is evident if the lieutenant governor be authorized to assume the functions of the governor during any temporary absence of the governor from the State, he may also, whenever the governor is unable to attend to the duties of his office on account of sickness, in case of 'inability to discharge the powers and duties of the office.' We do not believe this to be the meaning intended by the framers of the constitution. The inability to discharge the duties of the office, as well as the absence from the State spoken of in the article, are such as would affect injuriously the public interest. The mere absence at Pass Christian, within a few hours' run of the capital, could not by any possibility affect the public interest. How is the absence of the governor to be ascertained? It is manifest that there ought to be some certain proof accessible to the public from which they may with certainty derive the knowledge as to who is authorized to act as governor of the State. As the law makes no provision for the mode in which the governor shall manifest to the public his absence from the State, it necessarily is left to his discretion, subject to his responsibility to the people. If the interests of the State should suffer in consequence of his prolonged absence, he would be amenable to public sentiment and to the control of the impeaching power of the State. Some public record should be made of the intended absence, or the governor should publicly place the lieutenant governor in charge of the government, so that the term of absence shall appear of record, and during such absence the acts of the acting governor would be of unquestionable validity. Anything less than this might create confusion and uncertainty."

"The only difference between the above case and the one before us is that it does not appear that the governor of Louisiana was absent from the State in the discharge of a duty



imposed upon him by law, while in the case under consideration the governor was absent for the purpose of performing a duty which the law enjoined upon him in conjunction with others. And while the facts in the present case do not call upon us to go as far as the court went in said case, it may not be improper to say that the views therein expressed are not inconsistent with sound reason, and if an enlightened court under a constitution and laws which, like our Constitution, devolve the duties of the office of governor upon the lieutenant governor in the event of the absence of the governor from the State, has determined, as it did in the case above cited, that the absence of the governor from the State for a limited time creates no such vacancy in the office as to authorize the lieutenant governor to assume the duties and prerogatives and receive the salary of the governor, it is, at the very least, persuasive authority for the soundness of the conclusion we have reached that the absence of the governor from the State for the purpose of performing a duty cast upon him by law did not authorize the lieutenant governor to assume the functions of his office during such absence and receive his salary."

Mr. President, the Constitution imposes upon the Chief Executive the duty to negotiate and make treaties, subject to ratification by the Senate. It does seem to me that as the peace of our own Nation and of all the nations of the world is involved it is the highest official duty of the President to be at that place where he can be of most benefit to our own country. In my judgment, his presence at the peace table will be the inspiration which will produce a treaty based upon American ideals. I can not conceive that any court would declare his "inability to discharge the powers and duties" of his office when he is performing his highest duty imposed by the Constitution itself.

Mr. KELLOGG. Mr. President—

Mr. SHAFROTH. I yield to the Senator.

Mr. KELLOGG. I thought the Senator had yielded the floor.

Mr. SHAFROTH. Very well, I will yield the floor.

Mr. KELLOGG. As the morning hour seems to be taken up by general discussion, I ask unanimous consent to submit some remarks upon the question of a league of nations and the resolution introduced by the Senator from Pennsylvania [Mr. Knox].

The VICE PRESIDENT. Is there objection? The Chair hears none.

Mr. OVERMAN. Will the Senator from Minnesota yield to me to have an order made?

Mr. KELLOGG. I yield for that purpose.

#### WITHDRAWAL OF PAPERS—POMEROY PARKER.

On motion of Mr. OVERMAN, it was

*Ordered*, That leave be granted to withdraw from the files of the Senate the papers accompanying the bill S. 7281, Sixty-first Congress, second session, to correct the military record of Pomeroxy Parker, no adverse report having been made thereon.

#### COMMITTEE SERVICE.

Mr. MARTIN of Virginia. The Senator from Minnesota kindly yields to me to have an order made for a committee assignment, which I send to the desk.

The order was read and agreed to, as follows:

*Ordered*, That Senator VARDAMAN be assigned to the chairmanship of the Committee on Manufactures, and that he, on his own request, be relieved from further service as chairman of the Committee on Conservation of National Resources, but not from membership thereof.

#### LEAGUE OF NATIONS.

Mr. KELLOGG. Mr. President, were the revenue bill now before the Senate, or any very pressing legislation demanding our attention, I should not take the time of the Senate to discuss this subject. But, Mr. President, the Senate, the coordinate treaty-making body, is not represented upon the peace commission, and the only way we have of making our views known upon the important world issues of to-day is by a resolution of the Senate declaring principles or by the individual expressions of Senators upon the floor.

I am not complaining of this situation, but it was with interest that I saw the resolution introduced by the Senator from Pennsylvania [Mr. Knox] yesterday, declaring certain principles. That resolution is entirely different from the resolution of the Senator from Iowa [Mr. CUMMINS] providing for the appointment of commissioners to visit Versailles during the sitting of the peace commission. That resolution I do not approve of. It is proper that the Senate should express its views in a resolution upon any subject. I do not think it proper for the Senate to send commissioners or ambassadors to Versailles to the peace conference. They would have

no position; they would not be entitled to admission to the conferences of the commissioners of the allied and other nations; they would be embarrassed in their position and they would embarrass our friends, the English, French, and Italian commissioners, who would desire, of course, to show respect to the representatives of this great body. They would also embarrass the President.

I believe that the first object of the Senate and of the Senators is the good of the Nation and their desire is that the President and his commissioners may bring out of the great conference at Versailles a solution which will reflect honor upon this Nation and will be a lasting benefit in the generations to come. That ought to be the controlling motive of the Senate, even though we may believe that the Senate should have been represented upon the commission.

I merely make this remark in passing in order to distinguish the resolution from that of the Senator from Pennsylvania. I shall not discuss the resolution at length, but some of its provisions are inseparably connected with the subject upon which I crave the permission of the Senate to submit a few remarks.

Our objects in this war might well be stated by the Senate, and perhaps after the settlement of those questions directly involved it would be better to postpone to some future period the question of a league of nations or a change of the general rule for the freedom of the sea.

I take it that we entered the war not for any vague idea of establishing world democracy or a league of nations, but for a definite purpose, because our rights upon the high seas had been invaded, our citizens murdered, the agents of Germany had plotted in our midst against our peace and security, violated our laws, and incited our neighbors to war with us. In order that we might make this country safe against the domination of Germany, we went to war. I think it quite proper that when those issues are settled around the great council table, the issues of indemnity to Belgium, France, and Serbia and other nations, what shall be done with the German Navy and the German military armaments, and many, many other questions, it would be proper to take up the question of a league of nations, not alone between the belligerent countries, but with all the civilized nations of the world, because the neutral nations are as much interested in the subject as we are.

Furthermore, that conference will be interested, at least the principal nations of Europe will be interested, in defining the boundaries and in declaring the independence and perhaps guaranteeing the integrity of various nations or would-be nations of Europe. I take it that this country is only very indirectly interested in that subject, and that we are not going to fix the boundaries of the Balkan States or other States of Eastern Europe, or of those people who aspire to sovereignty, and that we are not going by an armed force to guarantee those boundaries or guarantee the integrity of those countries during all the years to come.

Are we to police the vast and disturbed domain of Russia or be forever embroiled in the Balkan troubles or the troubles over the Golden Horn or the aspirations of Poland? While we should hope that they will be settled so that each of the great peoples of the world may have an opportunity to develop their nationality, yet it is another question if we are called upon to fix their boundaries, their autonomy, and to forever guarantee them. That is the entanglement against which the Father of his Country warned us.

Furthermore, I am admonished when I come to study the question of a league of nations that no peace convention could possibly settle upon the terms of such a league within the time that the great issues of this war should be determined. The world has been disturbed and ravished for four years. The nations are weary of war. It is now practically over, and as soon as possible the issues pertaining to the war should be settled, our Army returned, and we and all the other nations allowed to pursue the pathways of peace. But I do not mean by that that we should not make an effort toward a league or concert of nations which shall have in mind the preservation of the peace of the world.

Mr. President, the establishment of a league of nations is, I believe, now foremost in the minds of statesmen as well as in the minds of the people of the civilized world. It is being discussed by publicists and journalists the world over. The impelling causes which at this time bring this ancient and honorable subject before the public are too fresh in our minds to need extended discussion.

The appalling calamity through which the world has just passed, the destruction of life, the awful suffering, the shocking crimes committed under the guise of war, and the waste of nations has created anew in the minds of the suffering people a determination to put an end to such conflicts.



It is probably too much to hope that the world will be permanently at peace. De Segur, the great general and historian of the French Revolution and the Napoleonic régime, said:

Universal peace is the dream of the wise; war is the history of mankind.

As much as the world longs for peace to-day, we are confronted by the cold facts that unfortunately this is true. A league of nations to enforce peace has been a favorite theme for discussion by benevolent statesmen and publicists for 2,000 years. From the Hellenic League to the Holy Alliance—in fact, to the last Hague convention—it has been tried time and again, and although its ameliorating influences have undoubtedly been felt in decreasing the number of those conflicts which from time to time have devastated countries, yet the wrecks of nations, scattered along the pathway of human progress, testify to its failure as a complete preventative of war.

This, however, should not discourage us. I believe the time has come to try to establish a league to prevent war and to enforce peace, which may not be an entire preventative, but, backed by a world public sentiment, will have a tremendous influence toward maintaining just and equitable relations between nations and preventing the horrors of war.

If ever there was a period in history when it behooves statesmen to exert themselves to the utmost to find some means for the settlement of those controversies which divide nations other than the resort to arms, the present is the time.

I do not for a moment disparage the principles upon which we, with the allied nations, have carried on this war. I was an advocate of entering the contest. I believe the cause was sufficient, and the principles for which we were fighting soared high above the horrors of the battle field; that America in this struggle has found her soul. The splendid spirit of her sons who have given their lives in this sacrifice, the splendid spirit of the people which has made it possible to send that great tidal wave of humanity to crush the devastating military power of Germany, does not lead us into the paths of war but into the paths of peace. We should not overlook this fact. The peoples of the world, the toiling millions upon whom this war has fallen with crushing weight, were determined that it should end by victory, and are determined now that no step shall be neglected which will tend to bring a permanent peace.

I have no sympathy with the tenets of socialism, State or international. The growth of this spirit has been augmented by the abuses of war, and I am willing to lift my voice in favor of a league of nations to maintain peace. But I am not in favor of an impracticable, I might say an impossible, scheme that I believe yet rests in the brain of the dreamer and in the womb of the far-distant future. The condition of the world is far better for the successful establishment and maintenance of such a league at this time than ever before. No league of nations can succeed unless it originates and is sustained by an honest public sentiment of the peoples involved, and unless the Governments joining in such league are responsive to the demands of the people. These conditions exist to-day to a greater degree than ever before. I believe with the closing of this war irresponsible government will have practically disappeared from the face of the earth and in its place there must come in Russia, in the central empires, and in the other nations, a government responsive to the will and voice of the people, such as exists to-day in the great allied nations, fighting, as we all hope, the last world war for the supremacy of right and justice. One thing is sure. Unless Germany changes her attitude toward the rest of the world, unless the aspirations and policies which have guided that nation in the past are to be changed and a more enlightened sentiment shall control the German people, and a government is established responsive to this sentiment, there must be a league of the allied nations to see that Germany is rendered powerless to renew the contest.

Again, another thing which will make a far more permanent peace is the abolition of the system of secret treaties and alliances. I believe, as I have said before, that the treaties which close this greatest of world conflicts and settle the disputes upon which the future of nations depends should be made in the open, in the light of public opinion, and approved by an honest world sentiment. How many leagues of nations, like the Holy Alliance, have foundered upon the rocks of disaster because they were based upon false principles of justice and sustained by secret alliances and the hope of dynastic supremacy? I deplore what seems to be the disposition of the President not to take the American people into his confidence, especially that body of the supreme legislative power of the Nation, the coordinate treaty-making body, the United States Senate. So far as possible we should know his views upon the difficult problems which must be settled in Paris. I would have the world informed as to the progress of the negotiations and the principal

issues involved from time to time between nations surrounding the council table. It is only in this way that a healthy public sentiment can be expressed and a peace arrived at which shall meet the judgment of the civilized world.

I come now to the more concrete question—what kind of a league or concert of nations we should approve—and upon this subject I desire not to make dogmatic statements but to keep an open mind. If I am permitted to take part in the deliberations of the Senate upon the confirmation of the treaty of peace, I shall go as far as possible in sustaining measures necessary to prevent the recurrence of war, provided they do not infringe upon those national rights which I believe all of us deem to be necessary to the future prosperity and happiness of this people.

I listened with interest to the eloquent speech of the Senator from Missouri [Mr. REED] voicing his opposition to a league of nations. Granting his premises or definition of a league of nations, I do not, in the main, disagree with him. But it depends upon what we consider to be a proper league of nations. If you mean by a league of nations that there shall be established a world supergovernment, with legislatures and judicial tribunals—under which the signatory powers will be to some extent vassal states—with power to legislate or interfere with our internal affairs, our foreign trade, our tariff duties, our regulations of commerce, the development and disposition of the great natural resources of this country, I say emphatically I am not in favor, and I know of no one, except, possibly, some extreme, impractical dreamer, who would favor such a scheme. I have studied, as far as possible, the public expressions upon this subject during the war, and I believe that the great preponderance of sentiment of the leading statesmen and publicists of the world, as well as all the organs of public expression, is that such a scheme, or any scheme of a world government whose laws can be enforced by international tribunals, is impracticable and inadvisable.

I do not favor the establishment of any supergovernment over nations. Nor do I believe, considering our position, that it would be policy to do it. Furthermore, I am of the opinion that under the principles of our form of Government, established by the Constitution, we have no power to enter into such a treaty. The Constitution of the United States irrevocably vests the government in the legislative branch, to be elected by the people, the execution of the laws in the executive branch, and the judicial to construe those laws and to perform other judicial duties.

Under Article VI of the Constitution it is provided that—

This Constitution and the laws of the United States which shall be made in pursuance thereof, and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land, and the judges in every State shall be bound thereby, anything in the constitution or laws of any State to the contrary notwithstanding.

While it is true that in this country a treaty, if it is self-executory, has the effect of a law, and if it pertains to any subject within the treaty-making power is supreme over the laws and constitutions of States, yet it is not supreme over the Constitution of the United States or of a subsequent law of Congress, for it is clear that under the Constitution Congress has power to denounce any treaty.

Let me illustrate, for example. Suppose we should join a league of nations with an international force which had authority to bind the signatory powers to make war upon any country, and such league should undertake to exercise such power. The Constitution of the United States irrevocably places in the Congress the power to declare war. Has the Senate of the United States and the President under the treaty-making power the authority to enter into a treaty that will permit a supergovernment of the world to involve us in war or to declare war for us against another nation? That is one case of many which might be made to illustrate this principle.

Mr. President, I ask permission, without reading, to insert in the RECORD a quotation from the decision in *Whitney v. Robertson* (124 U. S., 190).

THE VICE PRESIDENT. Without objection, permission to do so is granted.

The matter referred to is as follows:

A treaty is primarily a contract between two or more independent nations, and is so regarded by writers on public law. For the infraction of its provisions a remedy must be sought by the injured party through reclamations upon the other. When the stipulations are not self-executing—that is, require no legislation to make them operative—to that extent they have the force and effect of a legislative enactment. Congress may modify such provisions, so far as they bind the United States, or supersede them altogether. By the Constitution a treaty is placed on the same footing and made of like obligation with an act of legislation. Both are declared by that instrument to be the supreme law of the land, and no superior efficacy is given to either over the other. When the two relate to the same subject, the courts will always endeavor to construe them so as to give effect to both, if that can be done without violating the language of either; but if the two are inconsistent, the one last in date will control the other, provided always



the stipulation of the treaty on the subject is self-executing. If the country with which the treaty is made is dissatisfied with the action of the legislative department, it may present its complaint to the executive head of the Government and take such other measures as it may deem essential for the protection of its interests.

Mr. KELLOGG. In the case of *Thomas v. Gay* (169 U. S., 264), the Supreme Court said—and I will read this, for it is very short and, I think, very pertinent:

It is well settled that an act of Congress may supersede a prior treaty and that any questions that may arise are beyond the sphere of judicial cognizance and must be met by the political department of the Government.

It need hardly be said that a treaty can not change the Constitution or be held valid if it be in violation of that instrument. This results from the nature and fundamental principles of our Government. The effect of treaties and acts of Congress, when in conflict, is not settled by the Constitution. But the question is not involved in any doubt as to its proper solution. A treaty may supersede a prior act of Congress and an act of Congress may supersede a prior treaty. (*Foster v. Neilson*, 2 Pet., 253; *Taylor v. Morton*, 2 Curt., 454.)

It would seem, therefore, of questionable propriety as well as doubtful authority to attempt to establish over this country an arbitral chamber or tribunal which can, without the consent of our legislative authority, in any way control our internal policies or any activities of the Government which are, by our Constitution, committed to the legislative authority. While some of the foreign governments are not embarrassed by such limited powers, yet I believe it is the consensus of opinion of the leading nations of the world that any such plan of supergovernment is impracticable.

It is, of course, impossible for me, in the space of these remarks, to review the principal expressions even of the leading statesmen of the world upon this intricate and difficult problem. I think there is great diversity of opinion among the allied powers, centering, however, upon a general and almost universal sentiment that some league or general treaty must be made which will have an effect to prevent the recurrence of such a calamity. The nearest expression to a national sentiment, perhaps, comes from the House of Lords in England. All the leading statesmen in England have declared in favor of some kind of a league of nations; not, however, such a one as received the condemnation of the Senator from Missouri.

On the 19th of March, 1918, Lord Parmoor moved, in the House of Lords, the following resolutions:

That this House approves of the principle of a league of nations and the constitution of a tribunal whose orders shall be enforceable by an adequate sanction.

Mark those words.

After most elaborate debate, the resolution was modified and adopted, reading as follows:

That this House approves the principle of a league of nations and commends to His Majesty's Government a study of the conditions required for its realization.

Quite a different thing.

The debate was participated in by Lord Parmoor, the Marquis of Lansdowne; Lord Bryce; Lord Parker, a thorough student of the subject; Lord Curzon, a member of the Government; and many others. I wish to briefly quote from some of those statesmen their views upon this important question.

In the discussion of the subject, Lord Parker, who has been one of the advocates of a league of nations, said:

As soon as the risk of war becomes great, nations will begin to settle their differences by other means. Arbitrations may be resorted to, possibly international councils or international conciliation boards may be made use of, but tribunals in the ordinary sense of the word—legal tribunals for the administration of international law based upon an organized international force—is a very different matter, and one which must be left, in my opinion, to grow out of that sense of mutual obligation which is beginning to exist amongst nations. If we attack that part of the problem at first, I have very serious fears that the whole structure which we are trying to build may fall about our ears. Probably if any dispute now arose between ourselves and any other great nation—say the United States of America—the nations in difference would easily arrive at some means of settling the dispute otherwise than by war, whether by a tribunal ad hoc or in some other way. It is a very serious matter to ask great nations in the present day to agree beforehand to submit disputes of whatever nature to the arbitrament of a tribunal consisting of representatives of some two dozen or three dozen States, many of whom may be indirectly interested in casting their votes on this side or on that.

Lord Bryce, who, everyone knows, is a distinguished scholar of the science of government and international law, discussing this problem on June 26, 1918, in the House of Lords, said:

Now, the creation of such a machinery as that to which I have referred, the provision of means for the pacific settlement of disputes instead of resorting to war, is a difficult and an infinitely complex question. Attempts have been made heretofore—the one which is most familiar to your Lordships was that made under bad auspices by the Holy Alliance in 1815—to provide some method for permanent peace. That attempt was destined to failure from the false principles upon which it was founded. We must go far deeper, and found it upon principles compatible with freedom. I do not for a moment underrate the difficulties which must be faced, and I think that we may dismiss all those grandiose notions of what has been called a federation of the world, an attempt to induce the great States to forego their sovereignty and to submit themselves to some superior authority and to constitute an international army. All these schemes, if they ever are realizable,

must belong to a very distant future, and I do not think we ought to contemplate any further limitation of sovereignty than is necessarily involved in the obligations undertaken by a treaty. But, however limited and cautious our plans may be, it is not to be denied that the difficulties in the way are very great, and that the questions to be solved are of the utmost complexity. I do not think anyone can appreciate how great those difficulties are unless he addresses himself to a close and long-continued study of the subject, and to the various plans that have been advanced.

Earl Curzon, while supporting the general principles of a league of nations and arbitration of the disputes which lead to war, used the following significant language, which I ask to include in the RECORD without reading.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

Then I come to the question of the sanction, which also, I think, must be somewhat closely scrutinized. The two forms suggested have been that of economic pressure or boycott and that of the use of force. In theory economic pressure is, of course, the easiest method to adopt, and it would seem prima facie to be likely to be the most effective. You suspend commercial intercourse with the offending nation; you stop her imports and exports so far as you can; you prohibit communication by telegraph, by telephone, by post, by railway, by wireless telegraphy with her; you desist from lending her capital or from paying her debts; you blockade her coasts. Well, a good many of these expedients we have adopted; almost the whole of them we are practicing in the present war. They did not, it is true, succeed in preventing the war; they have not, at any rate at present, curtailed its duration. But I should like to put it in this way: I doubt very much whether, if Germany had anticipated when she plunged into war the consequences, commercial, financial, and otherwise, which would be entailed upon her by two, three, or four years of war, she would have been as eager to plunge in as she was. Remember this: Though we have not done possibly all that we desired, we have done a great deal, and we could have done a great deal more if your hands had not been tied by certain difficulties. It is naturally a delicate matter for me to allude to this. A good many of them have been removed by the entry of the United States of America into the war, but we have always the task of handling with great and necessary delicacy the neutral States, and this difficulty still remains with us. But observe that this difficulty will not arise if you have a league of nations to which all the States belong, because then there will be no neutral States whose interests you will have to consider.

This brings me to the final point of the proposed sanction force. And here I am very much in agreement with what I understood to be the argument of my noble friend, Lord Bryce. Some people seem to imagine that you can set up an international court—or a supernational court, I suppose it ought to be called—with an international police. The powers in general under these suggestions are to retain only such forces as the court may decree; the whole of them are to be at the disposal of the central tribunal; and if that were so, it is clear that such a force would have to be so preponderant in numbers and in the other elements of strength as to exercise an overwhelming superiority in arms over any offending party with whom it might have to deal. Speaking for myself, I doubt not merely the wisdom but the possibility of setting up an international police. I doubt very much whether sovereign States would submit to this restriction, almost this derogation of their sovereignty, and I do not see how an international police, marshaled and set on foot in the way I have described, would be able to cope with the difficulties that might arise, not so much in Europe, but in the heart of the African continent or elsewhere.

I suggest, in respect of all these schemes, that we should not proceed too quickly or too far. I think that the attempt at this stage to construct a hard-and-fast juridical system would be attended with failure; and if you fall now, observe that you not only destroy the chances of the scheme which you may be trying to construct, but you may throw back the movement for generations. That has been the fate—I was alluding to history just now—of those earlier attempts at leagues of nations; they were premature; they were presently diverted from their proper object, and they expired in ridicule and scorn.

Mr. KELLOGG. It is sufficient to say that, while Earl Curzon suggests economic pressure, he dissents emphatically from any superjudicial tribunal whose decree shall be put into effect by international force. He is speaking, we must remember, after the greatest contest and the greatest trial the British Government has ever passed through probably in all its history, and certainly since the Napoleonic wars.

Mr. LEWIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Minnesota yield to the Senator from Illinois?

Mr. KELLOGG. I yield to the Senator.

Mr. LEWIS. May I not ask the able Senator if he will not recall that Lord Curzon, particularly in the very matters to which the Senator is alluding, seems to rest his final determination upon the inability of having all nations become a party to the league? To use an ordinary phrase, his stumbling block was as to whether we could bring all nations into the league, but he did not say—and I yield to the Senator's better memory, as I have not had that proceeding so lately before me as the Senator has—in that same discussion, following Lord Bryce and others, that the league would depend for success upon having all of the nations enter into it.

Mr. KELLOGG. I do not think so.

Mr. LEWIS. And that upon that he rested his conclusion.

Mr. KELLOGG. I have read with great care, within the last few weeks, all of the debates in the House of Lords and the House of Commons upon that subject; I have read the principal comments of the European journals, including the French, and I do not recollect that Lord Curzon or any of the other distinguished English statesmen placed their objection upon that ground; but they placed their objection upon the ground stated



by Lord Parker, Lord Bryce, and Lord Curzon in the quotations I have given.

It is true that Mr. Balfour and the prime minister, Lloyd George, have made general declarations in favor of a league of nations, as we hear constantly in the press and by Senators' declarations that they are in favor of a league of nations, but it depends upon what the league of nations is to be. When you come to define it as a supertribunal, a standing army of the world, whereby nations of necessity give up their sovereignty or a portion of their sovereignty, few statesmen of the present day, I believe, recommend it or are in favor of it.

I was saying that the statesmen of Great Britain were standing with the great war then in their faces. They were looking over the past three years of bloodshed and ruin which had tried the British nation as never before in its history, and they were longing for peace. They were Anglo-Saxon statesmen, whose desire was to spread the doctrine of liberty over the world and not that of military power; and yet these gentlemen, with their clear-sighted vision, did not recognize in a league of nations of this kind a solution of the world's difficulties, but did recognize the necessity for a closer relation, a concert of nations, an educated public national and international sentiment, that will go far toward ending these terrible struggles.

The discussion in the House of Lords, as well as the discussion in the House of Commons, by the principal ministers in the present Government, leads me to the conclusion that England is probably willing to go as far as if not farther than any of the other nations of Europe in the establishment of a league of nations which shall exercise the right of mediation, conciliation, and arbitration of disputes between nations which lead to war; that England is not ready to pronounce in favor of a superjudicial tribunal, whose decrees shall be executed by international armed force; but I think it is the consensus of opinion of her statesmen that she is willing to go much further than heretofore in the establishment of suitable machinery for mediation, conciliation, and arbitration, and to exert international pressure by concert of peoples for maintenance of peace. It will be seen that some of her public men advocate economic pressure; others the appeal to the enlightened sentiment of the nations.

In France there has been no declaration by resolution of the Chamber of Deputies or the Senate, so far as I am aware, expressing an opinion upon this subject.

I am informed that a commission was appointed by the French Government to study this important question—I believe it was headed by that distinguished jurist, Leon Bourgeois—that a report has been made which has been furnished to the allied Governments, and that our Government has a copy, although I have not had the opportunity of seeing it and can only state what developed in the debate in the House of Lords and from what I have gathered from the French journals.

Lord Curzon stated on June 26, 1918, that such a report had been made and communicated to the allied nations, but that it had not yet reached the British Government. He said:

The French commission appears to have pointed out that it would be out of the question to set up an international police—a State above all other States whose aims should be to substitute law for force in the settlement of these national disputes. That is a statement of opinion with which I think we shall all concur.

This commission was appointed by the French Government, as I understand, simply to make inquiry and recommendations; that it has no authority to speak for the Government. From the accounts in the French papers I would judge that while this report has not been made public the conclusions of the commission have, to a considerable extent, reached the public through the press. As near as I can judge, the French commission does not recommend any league of nations having control over the governmental affairs of the signatory powers. The commission apparently recommends the continuance of The Hague tribunals, a provision for the submission to an arbitration tribunal of those legal questions which are called, in diplomatic parlance, justiciable as distinguished from political, and the establishment of a court or commission of conciliation or mediation, to be composed of representatives from each country, which shall take up and adjust, if possible, those political or nonjusticiable disputes between nations. The question I am in doubt upon is what pressure or power this commission recommends for the enforcement of the judgment of such commissions. I am led to believe that the pressure of public opinion is the principal one relied upon and that if any force is recommended it is after all other means have been exhausted, and I am not clear that such force is recommended at all.

Mr. Robert E. Olds, a lawyer of distinction, a student of the affairs of government, and who has had an exceptional opportunity to observe public sentiment in France, writes me on October 14 as follows:

I assume you also are following closely the career of that ancient and honorable idea of a league of nations. It is a favorite theme at the conclusion of all great wars. I try to read each day the London Times and a couple of Paris papers (usually the Figaro and the Gaulois or Journal des Debats). Two or three times a week I get the Journal de Geneve. The British and French periodicals are also, of course, available. The English, I find, are pretty generally for the league, although opinion is by no means unanimous.

I think I have shown the kind of a league that the English statesmen are in favor of.

In France the idea has taken no root at all. I have looked in vain for any rational discussion of it. There is a studied avoidance of the subject alike by statesmen, publicists, and journalists. One gains the distinct impression that the French regard the notion as chimerical and visionary. Perhaps the national loathing of Germany and the consequent reluctance to go into any combination of which Germany might be a member goes far to explain the attitude.

For those who have not already done so, I suggest the consideration of an outline of a league of nations proposed by Lord Parker in his speech in the House of Lords on the 19th of March. I do not believe that we are going to enter into a treaty of peace to end this great war without an earnest effort, guided by all the wisdom and experience of preceding ages, to arrive at some agreement, some league or concert of nations, which shall exercise influence not only upon world public sentiment but in guiding nations to the pathway of peace and preventing a conflict of arms. I am not, of course, willing that this country, if we could do so, should turn over to any supergovernment control over our domestic policies, the development of our great natural resources, or our trade and commerce with other nations, questions of immigration, of customs duties, or the Monroe doctrine. We are fortunately situated. We produce within our domain not only our own needs but a surplus of all the principal raw materials going into the commerce of the world. With food supplies, iron, copper, oil, timber, cotton, and other products there are but few things for which we must depend upon the outside world. But we should undoubtedly yield, as far as possible, in order that at the close of the war we and the other nations shall not commence to prepare for the next war.

In addition to the enormous burden which this war has left upon the belligerent nations, upon our country as well as the European countries, are we to press down upon the people the burden of growing armament and gigantic militarism?

I have not advocated that we should not always be prepared to meet and protect our territory and our rights, but that if possible we should stop the competition of growing armament between nations. Nor do I advocate that we should undertake, in concert with other nations, to fix the boundaries of all the States of Europe and by leagues of nations guarantee their boundaries and the integrity of their Governments. This is not within the scope of international action to try and obtain concert of the leading Governments to adjust the disputes of nations and prevent resort to arms.

As far as I am able to judge the consensus of public opinion among the allied nations to-day is in favor of the general principles of a league of nations to prevent war. You may say this is generalization. I think we may go further and say that the consensus of opinion is that there should be a league by treaty binding all the signatory powers which shall provide not only for mediation, but shall make it the duty of the powers joining to offer mediation between contending nations; that it shall provide for commissions of investigation and conciliation and provide for the members to submit their disputes to arbitration. The vital point, to be sure, is what disputes shall be submitted and what means shall be taken to compel the enforcement of the decrees of the arbitral tribunals. I realize this is the difficult point. It is said that unless there is some force to execute the decrees of the tribunal the whole proceeding will be a farce, that nations like Germany will neither submit nor abide by the judgment.

In the first place, I believe, the conditions for conciliation and arbitration have never been as favorable as to-day and as they will be in the future. Nations heretofore have hesitated to agree to submit their disputes to arbitration for the reason that they did not wish to go into a court perhaps more or less interested in the question or kindred questions and submit matters vital to the national life to arbitration, and various schemes of excluding from arbitration those questions which were considered quite nonjusticiable or vital to the nation's welfare have been evolved. But the trouble is that those are the questions which often bring on conflicts, and it is a question whether we should not agree to submit to a proper tribunal of arbitration many questions which we are not now willing to leave to arbitration where the enforcement of the judgment is left to the enlightened sentiment of mankind. That there should be a world police or armed force is, in my judgment, impracticable and unthinkable.



It may be said that we have arbitration treaties with the principal nations of the world. We have, to be sure, with France and Great Britain an arbitration treaty, negotiated, I believe, by the distinguished Senator from Pennsylvania [Mr. Knox] when he was Secretary of State. He will correct me if I am not stating the facts accurately. In that treaty it was provided that justiciable questions depending upon law and fact should be submitted to a tribunal, and that a board or commission of conciliation should be created. The treaty did contain a clause guarding, I think, to a great extent the interests of the country, to determine what were the justiciable questions; but the Senate did not approve it and the treaty stands as I suggested.

Mr. SMITH of Georgia. Mr. President, will the Senator yield for a question?

Mr. KELLOGG. I will.

Mr. SMITH of Georgia. And did not the Senate advise the world, by its action then, that we were entirely opposed to any kind of international tribunal that might pass upon our vital interests, our national honor, or any problems of government that might affect this country?

Mr. KELLOGG. I think it did, as I said before.

Mr. SMITH of Georgia. I was in the Senate at the time, and it was the first opportunity I had to take part in the consideration of a great question; the debates then show, as did the final action of the Senate by a substantial majority, that even a majority of the present Senate then in the Senate could not agree to ratify any treaty or any program that submitted even to arbitration between two countries, to say nothing about international tribunals representing numerous nations, the important questions of government or problems of vital interest or of national honor belonging to our own country.

Mr. KELLOGG. Answering the Senator from Georgia, I think it did; and I do not think the Senator from Georgia will draw from any remarks I have made any conclusion that I thought to the contrary.

Mr. SMITH of Georgia. I did not. I was only desiring to supplement the view of the Senator by calling attention to the fact that when it was said that we should have advised the President earlier of our attitude I meant to suggest that the Senate had advised the world as far back as 1912 of its attitude upon many of these questions; and I meant further to suggest that it was entirely proper for the Senate now to exercise its responsibility by giving its advice on the pending treaty, as to the character of the treaty that we would be willing to ratify.

Mr. KNOX. Mr. President—

Mr. KELLOGG. I yield to the Senator from Pennsylvania.

Mr. KNOX. I merely wanted to state that the exact point of divergence between the Senate and the executive department of the Government at that time over that particular treaty was this: The treaty provided that all justiciable questions should be submitted to arbitration, and then it defined justiciable questions to be those questions which are susceptible of determination by the application of the ordinary recognized rules of law and equity. But obviously a question always arose as to whether a question was justiciable or not; and the proposition of the treaty was that that question—that is, its justiciability and, therefore, its arbitrability—should be left to commissioners; and the Senate declined to do that, because it said that would possibly submit vital interests to the decision of outsiders.

Mr. SMITH of Georgia. Because the commissioners might determine contrary to the view of this country. So guarded were we as to the preservation of the independent action of our own country about problems of vital interest that we declined to accept the treaty with those provisions.

Mr. LEWIS and Mr. NORRIS addressed the Chair.

Mr. KELLOGG. I yield to the Senator from Illinois.

Mr. LEWIS. May I be pardoned for suggesting that as I recall the debates—and I can only speak of my knowledge of the debates, having studied them, in this body—Senator Rayner, of Maryland, asserted on the floor, seeking to advocate the position of the eminent then Secretary of State, now equally eminent Senator from Pennsylvania, that the real item of dispute was because the words "law and equity," as contained in the provision submitted, had no equal definition or no equal meaning in the other Governments, and that therefore the definition "law and equity" left it so open that there was no defined thing which made the limit of the conduct on the part of the commissioners to whom the subject was to be committed. Am I right about that—that that was the real, serious grievance?

Mr. KNOX. No; I am sorry to say that the Senator from Illinois is mistaken. The Senate accepted that proposition. There was no difficulty about the arbitration of justiciable questions, and there was no question raised, in the sense that no controversy succeeded, as to the definition of what a justiciable

question was. The controversy arose as to whether the question of justiciability should be left to a commission if it was disputed.

Mr. KELLOGG. I now yield to the Senator from Nebraska.

Mr. NORRIS. Mr. President, I wanted to ask the Senator if he does not believe that this war, when it is considered in all of its aspects, naturally had a tendency to lead men to include questions that might be defined as justiciable that they would have excluded eight or ten years ago? In other words, referring particularly to what the Senator from Georgia has said about the Senate having gone on record, does not the Senator believe that one of the lessons of this war is that men will be more inclined, in order to avoid war and to reach an agreement, to agree to arbitrate things that probably before this war they would have hesitated to enter into any agreement to make arbitration treaties to cover?

Mr. KELLOGG. Mr. President, I have no doubt of that. I believe it is the firm opinion of the intelligent world to-day that if Germany had had a responsive government, and if war could only have been declared by a legislature after discussion, there would not have been this terrible war; and I believe that the sentiment of the world to-day is ripe for the exercise of all the powers of arbitration and conciliation that the nations can safely grant consistent with their independent sovereignties. I do not think the public sentiment has ever been as favorable to such action as at the present time.

I was suggesting the two treaties between this country, France, and Great Britain. I believe that some definition or some means of determining what are justiciable disputes can be arrived at to safeguard this country, so that our vital interests will not be submitted to nations which may have interests to the contrary, and that some means of conciliation and investigation by permanent commissions may be devised that will largely take care of the political questions.

It may be said that we have the treaties negotiated by Mr. Bryan as Secretary of State. There are a large number of them. They are all substantially alike. They simply provide for investigation and conciliation, and some of the countries agree that they will not make war while this investigation is going on. The treaties have done no harm. In fact, they may have done a great deal of good. They may, in some instances, have softened the passions of nations by giving time for consideration. But it is entirely a different proposition to negotiate a treaty between Brazil and the United States and a treaty between the United States and Chile when there is no treaty between Chile and Brazil. A league or concert of nations with the sole purpose of preventing a war, with a proper tribunal of conciliation and investigation, which shall meet periodically, which shall keep in close touch with the affairs of the various nations parties to it, is a far different thing than the separate treaties which have been negotiated for investigation and arbitration between various nations. It is the combined and concerted action of the great nations of the world at the close of this war which will prevent the recurrence of such a calamity which has devastated civilized lands.

THE PRESIDING OFFICER (Mr. SHEPPARD in the chair). The hour of 2 o'clock having arrived, the Chair lays before the Senate the unfinished business, which is Senate bill 4637.

Mr. KELLOGG. Mr. President, I am not to be understood as advocating that this country, situated as it is in the Western Hemisphere, under our form of Government, is going to enter into a league of nations which will involve it in the pitfalls and dangers of European intrigue or the maintenance of a world army which may be turned against us. But I do advocate that every effort shall be made by The Hague tribunal or some similar tribunal for the conciliation of political disputes and the arbitration and settlement of all questions which are justiciable, and for some means of determining what those questions are.

We have before us the example of two great, intelligent, progressive Anglo-Saxon nations that have been at peace for more than 100 years. The nations of the earth are growing closer and closer together, international relations are multiplied, space has been annihilated, and I believe that every effort should be made toward the conciliation of those disputes which from time to time divide the nations of the earth.

But we must remember that few nations, if supported by a proper public sentiment, which I believe is growing, will defy the arbitral tribunal and the public sentiment of the world. In the nineteenth century there were 471 international disputes favorably submitted to decision by arbitration, and in the last 20 years many such disputes have been settled in this way, in not one of which have the Governments involved refused to abide by the decision of the arbitrators. The nearest approach to such a failure is the finding of the tribunal in the case of Panama and Porto Rico, which has not yet been fully complied



with. Such a league of nations could provide for mediation, for commissions of conciliation which should investigate and find the facts and make recommendations which should be furnished to interested Governments.

It may be said that this was substantially provided for by The Hague Convention, and that in spite of the agitation for world peace, which has been the most prominent in the last 25 years, this war—the greatest since recorded history—has devastated the world. But The Hague conference did not go to the limit which I believe the principal nations are now willing to go. The central powers were not willing to agree to submit their disputes to arbitration. It may be that nothing would have prevented a trial of strength between the central empires and the rest of the world. Had there existed in Germany a responsible government, an intelligent public sentiment which could be expressed through legislatures and ministers, even with the incense burning which has been going on in Germany and the training of the German mind toward the supernation, I do not believe war would have broken out. But with the boundless ambition of the Hohenzollerns, with the control over all the resources and activities of the nation, there apparently had to come a trial of strength to decide whether this great military autocracy should survive or go down before the free peoples of the world. That time has passed, and while I do not expect that the millennium has arrived or that war will cease in the world, I do believe that the growing, enlightened public sentiment; the abolition of irresponsible governments; the growth of science which increases the instruments of destruction; the increase in the magnitude and the burden of war and all the horrors, miseries, and crimes of four years, has created a fertile field and an educated public sentiment, which is determined that such a war shall not again occur.

I am not unmindful of the teachings of our forefathers, of the wisdom of Washington, whose precepts we have followed. I believe the opinions which he expressed, the examples which he gave to the world, the influence which he exerted upon his time, have been among the most potent civilizing influences.

Notwithstanding his admonition, we did go forth and engage in battle upon foreign soil. We sent one of the greatest armies ever marshaled in war. We backed this Army by the resources of a great country and by the patriotic sentiment of a generous and enlightened people. We did this not only for our own material protection, that the institutions which we had reared might remain, but for the establishment of right and justice as the ruling factor in human destiny. Shall we hesitate now, while maintaining all our institutions, our Government, and the right to control all our internal affairs, to join in a league of nations which may have a lasting effect upon all the generations to come?

Mr. President, when the sun went down on that memorable August day four years ago, its last rays were clouded by the gathering storm of war. It was to rise upon a new world—the old had passed away—a world to be deluged with human blood and laid waste by the ravages of ruthless war, but a world of peace-loving, free people, animated by a new determination, inspired by new ideals and by new hopes, a determination that lawless military rule should end, ideals of democracy founded upon justice to all peoples, and a hope for a lasting peace. Lincoln uttered a great truth when he said, "This Nation can not exist half free and half slave." Neither can the world exist in peace half autocratic military government, recognizing no principle but that of force, and half free, self-governing democracy. A conflict is inevitable and must go on until one or the other is mastered.

Mr. President, it may be a delusion, but I like to indulge in the hope that the contest is ended, that the great preponderance of world government is representative democracy founded on safe guarantees of personal liberty, security of property, and opportunity for individual initiative and progress. It is either that or the reign of license and lawlessness, a despotism more terrible than autocratic power, which is its usual sequel.

Mr. LEWIS obtained the floor.

Mr. KNOX. Will the Senator from Illinois yield to me for a moment? I wish to call the attention of the Senator from Minnesota to a matter.

Mr. LEWIS. I yield to the Senator from Pennsylvania, though I expect to occupy only about five minutes.

Mr. KNOX. For just a moment. The Senator from Minnesota has performed a great public service in bringing to our attention the views of the English and French statesmen whom he has quoted and by his reference to the parliamentary attitude in both those countries; but he has overlooked what I regard as an even more important fact—one with which we have more concern and one which should have a greater influence over us.

We have not been behind Great Britain and France in parliamentary expression as to our attitude upon this great subject. As late as 1916, almost two years after the war began, the Congress of the United States passed an act expressing its policy, expressing its attitude not only as to the extent that we should go, but as to the method by which a conference should be brought about which should pass upon the great question as to a league of nations or a combination for the prevention of war.

Allow me to read the act of August 29, 1916:

It is hereby declared to be the policy of the United States to adjust and settle its international disputes through mediation or arbitration, to the end that war may be honorably avoided. It looks with apprehension and disfavor upon a general increase of armament throughout the world, but it realizes that no single nation can disarm, and that without a common agreement upon the subject every considerable power must maintain a relative standing in military strength.

In view of the premises, the President is authorized and requested to invite, at an appropriate time, not later than the close of the war in Europe, all the great Governments of the world to send representatives to a conference which shall be charged with the duty of formulating a plan for a court of arbitration or other tribunal, to which disputed questions between nations shall be referred for adjudication and peaceful settlement, and to consider the question of disarmament and submit their recommendation to their respective Governments for approval. The President is hereby authorized to appoint nine citizens of the United States, who, in his judgment, shall be qualified for the mission by eminence in the law and by devotion to the cause of peace, to be representatives of the United States in such a conference. The President shall fix the compensation of said representatives, and such secretaries and other employees as may be needed. Two hundred thousand dollars, or so much thereof as may be necessary, is hereby appropriated and set aside and placed at the disposal of the President to carry into effect the provisions of this paragraph.

So we have a definite American plan in respect to a league of nations. We have a definite American method by which this thing can be accomplished. We have a definite request to the President of the United States to call a conference of the representatives of the world before the close of the present war or at any earlier time he sees fit, and we have the appropriation necessary to carry the act into effect. So if there is such a thing as an American idea expressed by the representatives of the American people in an American Congress upon this subject it is found within the four corners of this act. I think this should be added to the presentation of the attitude of the other countries made by the Senator from Minnesota.

Mr. KELLOGG. I thank the Senator from Pennsylvania.

Mr. PITTMAN. Will the Senator from Illinois yield that I may ask a question of the Senator from Minnesota?

Mr. LEWIS. I yield.

Mr. PITTMAN. I desire to ask the Senator from Minnesota a question, and I do it because he is undoubtedly thoroughly prepared upon this subject. I have listened to his remarks with the very deepest interest. It is the first speech on this subject in the Senate I have had the pleasure of hearing which shows a careful study of the question, or that is not flavored with prejudice or possibly with politics. I was impressed with the fairness of the discussion by the Senator from Minnesota, and while I gained a great deal of information with regard to the many and various views of what should constitute this league of nations, I do not know that I definitely understand the particular league of nations the Senator from Minnesota favors. I should like to know if the Senator from Minnesota would be prepared, not to-day, of course, but within the next few days, to present to this body and argue as intelligently as he has this subject a proposed constitution or a proposed plan, with the necessary limitations, of a league of nations.

Mr. KELLOGG. Mr. President—

Mr. LEWIS. I yield, of course, to the Senator on the theory that it will not deprive me of my right to the floor. I know he does not intend to do so.

Mr. KELLOGG. Mr. President, it was frequently said in the House of Commons and in the upper House of Great Britain it was more important at that time to discuss general principles than details. I did not intend to burden the Senate with writing a constitution for a league of nations. What I did wish to do was to inspire if possible a sentiment in favor of some action to move the nations of the earth to enter into some agreement whereby peace might be permanently obtained. I did not flatter myself that my suggestions would reach Versailles, or have any influence upon the deliberations of the peace conference, but that it might start a discussion in the Senate by those far abler than I and better known in Europe, and produce perhaps a resolution from the Senate declaring some principles which we believe should be enacted for a league of nations. But I will say this to the Senator: I believe that there should be some permanent body like The Hague tribunal, with stated meetings, to which the United States should send representatives, which should create an arbitral tribunal to dis-



pose of those questions which we may be able to define as justiciable, and which do not so involve the internal government and vital interests of our country to make it advisable to agree in advance to submit to arbitration. I think with the Senator from Pennsylvania [Mr. Knox] we might go further in defining what those justiciable questions are and providing for some tribunal to determine them from time to time. I think we can go further in a united action through commissioners of conciliation who shall keep in touch with the affairs of the world and whose duty it shall be to intercede at once in the event of a threatened war.

I realize the difficulties. I have not prepared a charter, and I did not think it was necessary or would serve any good purpose. My hope was rather to start a discussion upon this question which is to-day occupying the attention of the civilized world, that the older and more experienced in mind of the Senate might discuss it for the benefit of the American people.

Mr. PITTMAN. I thank the Senator, Mr. President, and with the permission of the Senator from Illinois for a second—

Mr. LEWIS. I yield.

Mr. PITTMAN. I am now satisfied that if the distinguished Senator from Minnesota, who has given such careful consideration to a league of nations, is not now prepared to more definitely define a league of nations than he has done to-day, and he has defined it more carefully and fully than I have ever heard it defined before, it must be recognized that there is possibly some doubt even in the mind of the President as to the details to be worked out in the accomplishment of a league of nations. It is possible that all will admit, and I know that the Senator from Minnesota believes, that the President in asserting the general principle of a league or a concert of nations looking to an enduring peace has exactly the same purpose that the Senator from Minnesota has, and had exactly the same purpose in announcing it, that was, to stimulate the world to try to accomplish the same purpose.

I would have been surprised had the Senator from Minnesota gotten upon this floor and demanded a detailed explanation from the President of the United States as to what kind of a league of nations he intends to propose. I would not have been surprised if some of the other Senators had done so who knew nothing about it and did not have time to study the question, and they are the ones who have generally criticized any pronouncement of principle. I think possibly the same objections were made at the time it was suggested throughout the world that governments should agree upon rules governing civilized warfare. There was not any statesman on earth who could define the rules of civilized warfare, yet all the world believes in it. It could not be defined except by the people to be bound by it. It was defined subsequently by the nations to be bound by it. This principle is understood just as well as was the principle of civilized warfare, and this principle will be defined by the people to be bound by it, as I take it.

I think the Senator has done a wonderful service in so clearly delineating the various thoughts with regard to a league of nations.

Mr. KELLOGG. Mr. President—

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield further?

Mr. LEWIS. I yield to the Senator from Minnesota.

Mr. KELLOGG. I do not understand that in my remarks I criticized the President in not going into the details of a league of nations, nor would I criticize any Senator for not defining accurately what kind of a league of nations should be established, a question that has perplexed the greatest minds of the world for hundreds and hundreds of years. I would like to know whether the President believes in a world tribunal which should have its decrees executed by force or not, but I have made no complaint against the President for not going into the details of a league of nations.

Mr. LEWIS. Mr. President, I gave notice yesterday that I would on Friday address the Senate upon the proposition of a league of nations for peace. I therefore at this time do not rise to address myself to that particular subject, but I do assume to refer to the preliminary remarks of the eminent Senator from Minnesota, that which evidently was not a part of the speech he had prepared and has delivered in the present hour on the league of nations.

Mr. President, I concur with the Senator from Nevada [Mr. PITTMAN] in his complimentary allusion to the Senator from Minnesota paying tribute to the speech as being wholly divorced from anything of a partisan tinge or touch of personal prejudice; also I concur with the able junior Senator from Pennsylvania [Mr. Knox] that the paper presented by the Senator from Minnesota this morning is a liberal contribution to history, litera-

ture, and statesmanship of the subject. Whether we will agree with his conclusions is a matter to be after determined.

But in the preliminary remarks of the eminent Senator I was very much interested. It is the first time on this floor that any Senator has referred to the failure of the President of the United States to appoint Senators as members of the commission to go abroad and attend the present gathering ordered for Versailles touching the matter of peace. From the Senator came the first expression in the Senate that could be taken note of for purposes of reply.

Mr. President, the public at large has been given the impression that in his appointments to the peace commission the President cast some slight upon this body; that by failing to appoint Members of it he indicated to the nations at large a lack of respect for its personnel or an indifference to the position it occupies in the affairs of government.

Mr. President, I am sure that the President had not any such views and was in no wise animated by the slightest sense of indifference to the very high position of this body or the influence its Members exert in anything they advocate, but I wish to bring to attention now, in reply to the Senator from Minnesota, and therefore in reply to the criticisms on this feature, some few things which I trust may not occupy any length of time, at least not any objectionable length of time, as a clear justification for the President declining to name Members of this body or of his failure to do so.

Mr. KELLOGG. Will the Senator yield?

Mr. LEWIS. I yield.

Mr. KELLOGG. I did not criticize. I gave my views.

Mr. LEWIS. The Senator is quite acquit of criticizing the action. He merely expressed the view expressed in other quarters of regret.

Mr. President, when it is suggested to the country that Senators should have been named on that tribunal there ought to arise at once this interrogation, which I hope the very faithful members of the press will present now to the Nation as from an humble Member of this body: What would be thought of any power naming as a judge to decide a cause a lawyer who had for eight months been the advocate on one side of the controversy? What would be said of that bench made up of appointed judges to try one certain cause where every one of them had been for eight months presenting his demand as to what should be the final judgment of that court? What would be thought of a court made up of members each of whom had defined what he felt to be the duty of the litigants, their obligations, and already through himself presented a final decree as to what that court should decide in the dispute? The reply would be that it was such a prejudiced tribunal that no fair man ought to suggest such, and no honorable man who had been such previous advocate would have taken a place upon it.

Mr. President, with that interrogation let us view this situation for a moment, that we might indicate to the public what must have been in the mind of the President of the United States, who must be conceded to be a learned man and a historian of the past, as to why a Member of this body was not placed by him as one of the commission to serve on that international peace tribunal.

Mr. President, first we view them entering into Versailles. They are met at once by the Governments who are interested in the conflict, with this acknowledged conclusion: "Gentlemen, you have in the United States Senate, in speeches manifold, presented the viewpoint that Alsace-Lorraine should go back to France. Yet you are here to sit upon a bench as a judge while Alsace-Lorraine is asking to be made an independent State on her merits after the order of Poland, and which you insist should be the fate of Serbia. Gentlemen of the United States Senate, you are brought here and put upon the bench when you have time and time again been urging that the attitude of France and Britain concerning certain boundary lines touching the Rhine should be of this and that conclusion." Conceded. "You have made speeches as to what should be done with Turkey; you have laid down your doctrines; you have announced them to your people; your people have accepted them from you; you have sought election; you have sought honor and position upon your views." Conceded. "And yet you come to sit as judges, with impartial minds, presumably, to have presented to you the relative contentions of these different countries as to what they feel to be the future rights, the divisions, the dispositions, the applications of all their future."

And then, further, Mr. President, we can hear them reflect: "You have, gentlemen of the Senate, time and time again stated what your opinion was as to what should be the penalty upon Germany, among which are retribution, indemnity, and the keeping by the allies of all the captured colonies of Germany."



"Yes." "You have felt it deeply in your hearts." "Yes." "You have proposed it to your countrymen." "We have." "You have received their verdict." "We have." "And yet you are brought to sit on this bench as impartial judges with your judgment heretofore pronounced, having been accepted by your people, against which you dare not go and the reverse of which you dare not attempt. You are here to say if the Irredenta of Italy-Austria is to go all to Italy or some to Greece or any to South Slovakia. Yet you have announced too often to count that the Irredenta should all go at once to heroic Italy. You are here to decide as to a national Poland, a national Bohemia, a national Hungary. Yet as to all of these there is conflict of peoples within their domain insisting that no such organization should be created including them because of race, sect, or religion. Yet you are here," they will say, "to decide, after hearing, that which you have prejudged and time and time again announced your decision in Senate and public speeches."

Mr. SMOOT and Mr. NEW addressed the Chair.

The PRESIDING OFFICER (Mr. GAY in the chair). Does the Senator from Illinois yield; and if so, to whom?

Mr. LEWIS. I yield to the Senator from Utah, who first rose. Then I shall yield to the Senator from Indiana.

Mr. SMOOT. I desire to ask the Senator from Illinois if the same situation that he has just described as affecting Senators would not also apply to Lloyd George, to Clemenceau, and to the President of the United States, who, of course, will sit in the same case as judges?

Mr. LEWIS. I first answer the Senator from Utah. I must say "no." I had intended to refer to that feature, but I say "no," and I say "no" with great vigor. First, Lloyd George does not sit afterwards as a supreme court upon his own action, as would these Senators in Senate on confirmation of the treaty; neither does Clemenceau, to ratify for France what shall transpire in that peace body. As to the President of the United States, I must impress upon the Senator from Utah his constant statement that he goes to "tender his judgment," to "participate in a consultation," but not in the decision.

Mr. SMOOT. Mr. President—

Mr. LEWIS. I yield again to the Senator from Utah, but shall then yield to the Senator from Indiana.

Mr. SMOOT. I want to say to the Senator that what I stated was just exactly what Lloyd George does do, and that is more particularly true as to him than it is as to the President of the United States. In referring to the President of the United States, I only had in mind the question as to the return of Alsace-Lorraine. I do not want the Senator to think that I went further than that as to the President of the United States, but the position that Lloyd George holds gives him the absolute power, more so than the President of France or the President of the United States, to determine, after the decision is reached, that it shall be final and binding upon England and upon the English race.

Mr. LEWIS. Mr. President, I regret that the Senator from Utah and myself can not concur in that for this reason: He has a viewpoint as to certain forms of British legislative action which has no application to the present proceeding. I will illustrate that to him in a single clause. When the overtures of peace were sought to be presented by Fox as having been presented through Napoleon, Pitt was then premier. Pitt opposed Fox in the British Parliament, denying that these overtures of Bonaparte were just, and refused particularly to accept them as presented by Talleyrand. I invite the attention of the able Senator from Utah to the fact that subsequently the subject was debated upon the floor of Parliament. It was 1800—I think February. The question then arose, if the overtures as presented were to be agreed upon, whether the Houses of Parliament had the further right, after the agreement, to pass any judgment upon them. It was then held, sir, it has always been since held, so far as I know—I do not know the history preceding this event—that after the Parliament had designated, if it did, or the King had designated, if he did, delegates to represent the Empire, and the decision had been reached, that was the conclusion, so far as Parliament had power over the decision. The only thing that could then be done, I will tell my honorable friend, is for members to oppose it as a policy, then bring it up as a resolution of party confidence if the vote is adverse. They then go to the country for a new election, this course being different from ours and more democratic. That opposition, then, is sent at once to the ballot box as against the actors, and not, as my eminent friend assumes, to Parliament for a confirmation or rejection in form, as our Senate serves.

Mr. SMOOT. Mr. President, will the Senator from Illinois yield to me further?

Mr. LEWIS. Yes, for we are seeking to get the history of this correct. I have other things to say on other branches later.

Mr. SMOOT. Mr. President, I must dissent from the position taken by the eminent Senator from Illinois, as I understand the situation. I may be wrong and the Senator from Illinois may be right; but I understand that after this peace treaty shall have been concluded Parliament will have nothing whatever to do with it; that it is an executive function entirely, so far as England is concerned. It is not so much so with France and the United States as it is with England.

Mr. LEWIS. Mr. President, may I be pardoned to say that the Senator from Utah is absolutely correct? I have been seeking to make that exact situation clear to him. He is absolutely correct in making it. Parliament has absolutely nothing to do with it. The only action to be taken if objections are made—and they are made then on the ground, sir, that it is wrong or unjust to England, and a vote of confidence in the government making the treaty is denied—is at once to issue writs for an election. If they choose a new Parliament, may I submit it to the eminent Senator, he is quite right in the assumption that it does not take the part as our United States Senate here does, to confirm the action.

Mr. SMITH of Michigan. That would not change the treaty. Mr. LEWIS. And, as the Senator from Michigan well says, it could not change the treaty.

Mr. MOSES. Mr. President—

Mr. LEWIS. I ask pardon of the Senator from New Hampshire. May I yield first to the Senator from Indiana [Mr. New], to whom I owe that courtesy?

Mr. NEW. The question I proposed to ask was covered by the question asked by the Senator from Utah [Mr. Smoot].

Mr. LEWIS. Then I yield to the Senator from New Hampshire.

Mr. MOSES. I desire to ask the Senator from Illinois a question. Being unfamiliar with the functions or prerogatives or powers of Senators, may I ask the Senator from Illinois if he deems it likely that a single speech or any number of speeches made by Senators here would be likely to commit either the Senate or the people of the United States to any policy whatsoever regarding our foreign relations?

Mr. LEWIS. Mr. President, I will say to the Senator from New Hampshire that, knowing the high character of the men occupying this body, I would assume they would be free from being prejudiced, and that they might still be wholly impartial; but it would be very difficult to impress the people of Britain, the people of France, and of the smaller nations, who are now pleading at the bar of this gathering, that such men will be impartial judges, who had already rendered decisions both to themselves and to the Senate and to their country. It is for that reason I must impress upon the Senate that the President must have seriously been influenced by these situations when he came to the consideration of naming Members of this body. It would have been, sir, as though one named members of the Supreme Court to sit in the lower tribunal to make decision of that which they themselves were to review for affirmation or reversal.

Mr. President, apart from the fact that the instances and situations I illustrate would seriously impair the usefulness of such a Senator in that tribunal, weaken his force, lessen his strength, limit his influence, or becloud a needed esteem, what effect, sir, would it have here when he returns to this body when the treaty is presented? Would not this body well know that whatever vote he had cast there or reasons for such more or less had to be in compliance with previous views expressed in this tribunal? Would not the peace tribunal know that his influence here would be to exert the views he had expressed to his people and to the Senate previously, the reverse of which he might not dare to assume? Would they not feel therefore that the final conduct of his action there as commissioner or here as confirming Senator could not be regarded as wholly impartial? Or, let us take the other aspect—the measure the Senate would give to such Senator here on matters of confirmation. Would not certain party colleague Senators feel that they were called on to confirm the treaty out of that comity which Senators bear to each other and out of that courtesy that suggested that if they did not confirm the action of their colleague they would put that Senator in his State as one repudiated by the body of which he was a Member? Would not these party compatriots see that only by confirming could they sustain him? They know the political effect of repudiation. Would not all these considerations be pressed on them as of prime importance and necessary to reckon with?

I now invite the attention of the Senate to just a morsel of history. Henry Clay was so impressed with the fact that he would be beaten for the Presidency if he dared confirm by his own action as commissioner the treaty of Ghent, which arranged the peace of the War of 1812, that he declined to sign it. When



Gallatin, one of the commissioners, took him out into the corridor of a little hotel at Bruges to impress upon him—as history records—that if he did not sign it it would weaken us with Britain, with whom we had lately been at war, he refused upon the ground, as he then gave it—and, Senators, you are historians and you will hear me out—that the treaty in no wise contained one single line guaranteeing to us the seas, for which we went to war, and, as he said, for which he had demanded we go to war. He said—pardon the expression—“How in the hell could I sign such and go back to Kentucky?” Finally, sir, Henry Clay was called upon, through influences, to lend his acquiescence; but when the treaty came to this body and was confirmed it was so known to have been compromised to its acceptance that it lost its weight, and never to this hour is the procedure of confirmation or the terms of the treaty cited by any Members of this body as a precedent for anything.

Sir, let us recall that when the commissioners were selected to conclude peace with France in 1799 Oliver Ellsworth, Chief Justice of the United States Supreme Court, and W. R. Davie and W. V. Murray were chosen. The mission was successful and ratified here without a dissent.

Now, my able friend, the senior Senator from Michigan [Mr. SMITH], brings to my attention a matter which I shall advert to; it is that President McKinley named Senators to settle the treaty of Spain and America. Before I enter on this subject, may I ask to have a message sent the senior Senator from Massachusetts [Mr. LODGE] saying that if he has finished his lunch I should like to have him present, as I shall refer to a matter in connection with that treaty that I think is within his memory as a personal witness, and if I am in error I want correction, and if I am right I want confirmation.

Mr. President, I now state that when the war was concluded between our country and Spain President McKinley designated Senator Frye, of Maine; Senator Davis, of Minnesota; and then a Democrat, who had been a Senator, but, as I now think, was then a judge of a United States court, the Hon. George Gray.

Mr. THOMAS. Senator Gray was a Senator at the time he was appointed.

Mr. LEWIS. Was he a Senator at that time?

Mr. SMOOT. He was at that time a Senator.

Mr. LEWIS. I thank the Senators for the correction.

Mr. SMITH of Michigan. And he was a very eminent Senator.

Mr. LEWIS. He was an able man. Indeed, I recall being an advocate of his for the Presidency.

Mr. President, then, apart from the fact whether he was then in the Senate or had been appointed judge, he was designated as a minority representative. There was at that time all over this land a very serious dispute as to whether the United States should take over the Philippine Islands. It was a question to which our country was very alive. I lived on the Pacific coast then; I had the honor then to represent in Congress, as Congressman at large, a State on the Pacific coast, the State of Washington; but in New England and in the South there was great resentment against taking the Philippines, while in my section of the country there was seemingly a very strong demand for that action, on the theory that it strengthened the Pacific coast. I opposed it, and was in the minority.

Mr. President, when that treaty came back to this body it embodied the taking of the Philippine Islands and the paying of \$20,000,000 to Spain. The treaty also carried with it certain other provisions. The debate as to the confirmation of that treaty continued days and weeks. Senators sitting about me, such as the Senator from Alabama [Mr. UNDERWOOD], the Senator from Michigan [Mr. SMITH], and the Senator from Kansas [Mr. CURTIS], who were then Members of the other House, will recall with what fiery dispute that peculiar debate swayed to and fro. Sir, I ask the memory of those who were around at that time to recall one of the charges which Senator Hoar, of Massachusetts, made on the floor of this Senate against the confirmation of the treaty. Among other things he said that Senators were being implored out of a comity of the relations they bore to Senators who had participated in making the treaty and in accepting what he called “the burden of blood” and putting it on the country.

Mr. SMITH of Michigan. But the country did not adopt their view.

Mr. LEWIS. That is positively true—to later qualify its position.

Mr. President, that treaty was discounted on this floor by Senators who were called upon to vote for its confirmation because of the knowledge that there was being imposed upon them a sense of fraternal obligation because of their fellow Senators being a part of the board. There has passed to

heaven, let us believe, the then distinguished senior Senator from Maine, Mr. Hale, the differences between whom and Senator Frye, his colleague, who helped make the treaty, were not altogether closed even at death, if political history, incidental and otherwise, is correct, because of that peculiar situation put on Senator Hale by the position of his colleague. Senator Hale conscientiously opposed that treaty, and he was put in the peculiar position of warring against his colleague, and the burden put upon him was so heavy because of the charge that he was reflecting upon the State of Maine by his opposition to his colleague that it greatly disturbed him.

Mr. President, there was a Senator on this floor—I do not know what political designation he went by then, whether Republican, silver Republican, or Democrat—Senator Pettigrew of South Dakota—who in his opposition to the treaty—

Mr. SMITH of Michigan. He was a Democrat then. He was a Democrat in 1896, and this occurred in 1898.

Mr. LEWIS. The Senator from Michigan tells me he was designated as a Democrat. I thought he was a silver Republican, so termed. Among other things, if the public press be right, he characterized the attempt to enforce the treaty upon this body as an effort to secure political advantage to the Members of the body who had participated in framing the treaty. And, Mr. President, let the Senate recall that so bitter became the dispute in this body and so divided its counsels that that treaty was ratified finally by the very smallest margin, and the action left for years afterwards, sir, wounds which were never thoroughly healed in the lifetime of those who participated.

That being true, Mr. President, what think you, sir, would have been the result if Senators had been named by the President of the United States and had presumed to sit upon this Versailles tribunal and, although urging the best conclusion they might, had returned here and asked that all be ratified? Will anybody fancy that it would not be said that their judgment had been made before they ever took their place? Will it not be said over in Europe that we gave them a prejudiced tribunal? Will it not be charged that we sent men who were partial and who had already prejudged the case? And when they returned here would not those who had found objections to the treaty feel that they were under some obligation of fraternity, some comity of relationship, some courtesy of association to confirm that which individually they may have felt they should oppose? Would not their freedom of opposition be stunted, if not paralyzed, to a great degree by the knowledge that their assault upon the result was an assault upon one of their colleagues? And, sir, if we should confirm things that meet the objections of those of our fellow citizens anywhere, could you ever quell the voice of our protesting citizens, who could charge us with having done so for no other reason than that Members of our body had their political fortunes in the balance and at stake, and thus deprecate our action and discount the treaty? It would have a cloud on its title forever.

Surely, Mr. President, these reflections must be recorded as a very just reason why no fair man standing as the President has stood, and does stand, could have ignored the very impending and influential reasons against naming one of the members of the supreme court, who must ratify this treaty, to sit in the lower tribunal and make a decision which he himself would afterwards pass upon as right or wrong against assault.

Senators have said—I have heard them on this floor most sincerely say—that they have a right to be kept in touch with the proceedings. Mr. President, I pause. I observe the senior Senator from Massachusetts [Mr. LODGE] is now in the Chamber, and I desire to ask him if his memory accords with my own. I stated before the Senator came in, and when I sent word to ask the Senator to come in, that the public press reported that his then eminent colleague, Mr. Hoar, in his opposition to confirming the treaty known as the Spanish-American treaty in 1898, then charged, among other things, an attempt to influence the free judgment of Senators by the mere fact of the comity amongst Senators; that this treaty had been presented, among others, by those who were Members of this body; and that prevented fair and free thought. I also called attention to the speech which Senator Pettigrew is reported to have made in the Senate, who likewise, following Senator Hoar, and, seemingly to me, adopted his viewpoint, charged that they could not have free and fair consideration because of the influence of the fact that Members of this body were participants in the peace tribunal. I charged, as a result of that, that the very narrow margin by which the treaty was ratified was due to that feeling of comity. I should like to ask the distinguished Senator from Massachusetts if his memory of those debates, if he has memory of them as a then Senator from Massachusetts, agrees with the newspaper reports. I was not a Member of the Senate at that time.



Mr. LODGE. Mr. President, it is impossible for me at a distance of 20 years to state just what occurred in that debate. My colleague, Mr. Hoar, was very much opposed to the treaty; but I do not remember whether or not he said anything about comity to other Senators. I have no recollection of it. It would be discovered—no, it could not be discovered, because that treaty was discussed in executive session.

Mr. LEWIS. I may say to the eminent Senator that I would have gotten the RECORD and produced it but for the fact that I had to take such information as I have only from the public papers and traditional recital from those who recall the incidents.

Mr. LODGE. Of course. I do not recall that my colleague said it, although he may have done so. The question of the Senators being signatories to the treaty, however, played very little part in the debate, and I do not think had any influence whatever on the result. The contest arose, as the Senator is well aware, out of the provision of the treaty taking the Philippine Islands.

Mr. LEWIS. I think the Senator in the latter remark confirms what I have previously stated to the Senate was to my knowledge the contention of the time—the Philippines—as I was not then a member of this body, being a member of another body, which had no right to participate in the deliberations incident to the ratification of the treaty.

Now, Mr. President, I come to the concluding feature, to which I ask Senators' attention for a moment. Senators have stated here that they have a right to be kept in touch with the proceedings, and therefore, for that reason, should have a representative at the peace conference. I reply to that by saying that if a Member of the Senate were there, however, the Senate would not be kept in touch with the proceedings; all he could do would be when he came back to arise and recite what transpired. The Senate could not have a report from him every minute an expression was had, the atmosphere that surrounded it, the sentiment that enhanced it, the prejudice that weakened it. Mr. President, does the Supreme Court of the United States have each step of the trial in a lower tribunal brought to it each moment it transpires as a reason or basis for reviewing the opinion that is before it under complaint of error and in the process of appeal for reversal? Not at all. But if the proceedings are to be made familiar to this body, it will not be overlooked that there will be stenographic reports, and the Senators will have the same reports as any other tribunal would have upon appeal. They will have the reports exactly as they have upon any other treaty negotiated and brought from abroad. They never know respecting other treaties each step that is taken in the deliberation; they have to take the paper as it is sent in to them in its entirety, not the deliberations and the debates at all, but, if so, they are in the stenographic report and in the bound official volumes. Will not that material also be before this body in this incident, as has been the custom for all time?

Then, Mr. President, is there anything else this body shall pass upon but the final conclusion reached, and the conclusion, sir, is the treaty complete? This action is measured only by the evidence that is brought before the Senate in the record. Therefore I must differ from the eminent Senators who lay down the doctrine that there should be a Senator upon the board, or many Senators, in order that the Senate may be kept in touch. First, I deny the premises; we would not keep in touch by such a plan. Second, they are not called on to keep in touch, but they are only to be cognizant of, aware of, and informed of the proceedings as concluded, and such proceedings as will enlighten them to the conclusion they will have to reach; that is, whether they wish to ratify or to reject the treaty. There can be no amendment, no change, no addition or reduction—the whole as a whole or none at all, complete acceptance or wholly rejected.

Mr. SMITH of Michigan. Mr. President, I should like to make a suggestion to the Senator from Illinois which may not be timely or important.

Mr. LEWIS. I yield to the Senator from Michigan.

Mr. SMITH of Michigan. I fail to see, as one Member of the Senate, why the treaty of peace with Germany and Austria-Hungary is so fraught with danger to our country. We are in no peril; we were victorious and sit in judgment; whatever the terms the vanquished must yield. We are not at war with Turkey, and therefore there will be no treaty of peace with Turkey so far as our country is concerned; we are not at war with Bulgaria, and there will be no treaty of peace with Bulgaria. We have renounced in advance any general monetary indemnity from the central powers, and therefore the question of a monetary indemnity can not arise. We have absolutely foreclosed ourselves against any territorial acquisitions, and therefore that question can not arise; and the question of put-

ting into treaty form with Germany and with Austria-Hungary any provision which links our Government to theirs in a league of peace must await the trend of events and the ultimate good faith of those Governments. I am speaking only of the actual work to be performed by the Senate. The Paris conference will take wider scope and undoubtedly lay the foundation of peace broad and deep. In this the President will have an important part, but the Senate need not be consulted until such action takes definite form. In other words, a league of nations is a league between England, France, Belgium, and Italy, our allies, and ourselves, and if the peace conference at Paris should finally determine informally that a league of nations was desirable an agreement must be made separate and apart from the treaty of peace with Germany and with Austria. It may be that very important questions will arise affecting the territorial limits and the integrity of smaller States; I know that they are apprehended, but this will be a matter of policy and not of law and ample information will be forthcoming. I have been very much impressed by some of the things I have heard to-day about their importance; but, nevertheless, the question of indemnity and territorial compensation having been voluntarily eliminated, it seems to me that our duty in the first instance will be a very simple one, and if we league ourselves with foreign States afterwards upon any basis of obligation and reciprocity that must be brought about by voluntary cooperation among the victors and the vanquished or by the victors alone. I have full faith that American interests will be protected by the chosen representatives of the American people.

Mr. LEWIS. Mr. President, of course that subject referred to by the Senator is fraught with serious difficulties and impends with very difficult problems. I expect on Friday to refer to that phase and will not intrude it now. It does not enter upon the present discussion to which I am addressing myself, as the Senator very wisely saw; but I nevertheless invited his observations by yielding to him. I will conclude upon the single thought—

Mr. SMITH of Michigan. I hope I did not interrupt the Senator against his will.

Mr. LEWIS. Not in the slightest. I invited it. The Senator did not interrupt me against my will; we have had associations for many years, and nothing that he has ever done that touches me has been against my will. I have not always been able to agree with him, but interrupting me by him meets my approval.

Mr. President, I was concluding upon the line of seeking to disprove wholly the ground that had been urged in many quarters, that it was necessary that Senators should be made members of this commission or that they should be kept in touch; and I replied by saying that the Senate would not be kept in touch had Members of the Senate had membership on the commission. I had stated that the only touch they are called upon to have with the proceeding is, at the conclusion, with that which will be reported to them officially, as with any other treaty, for acceptance or rejection. I reaffirm my views as expressed.

Mr. President, I have assumed at this time to offer these observations because the remarks of the Senator from Minnesota in the opening of his speech—in harmony with similar observations made in many quarters—would have led the country to conclude that which it has drawn too generally from other observations—that the President had failed to do a necessary and legal thing, or that he had failed in a necessary duty, or that there was no excuse for what he did in failing to put Members of the Senate upon the peace commission. Mr. President, may I be pardoned for saying—I can speak of my own knowledge—that it was the wish of the President of the United States to have Members of this body and some of the other legislative branch upon that tribunal, and not until close investigation and reflection restored him to the difficulties and revived to his mind what undoubtedly would confront them was he compelled to dismiss that consideration. I only mention that now that it might be known that at no time was there contumely or indifference cast upon this body by the mere omission to make those appointments.

I have made these statements, I have set forth these grounds why the President was justified, in my viewpoint, not, sir, that I wish to enter upon the discussion at this time as to what might be called the propriety or the impropriety of naming Senators, but in order that we may do no wrong to anyone. We do not wish to send the President of the United States from this country with the stamp of the scorn of his countrymen upon him. There is no patriot of this body who would send him forth striped with the maledictions of the United States Senate or send him forth as one who goes with a verdict of his countrymen of repudiation and discredit. Surely every man wishes that in the mission upon which he has entered the



President shall have Godspeed and shall have success and come back with glory. That means the honor of his country; it means the victory of his Nation. Anything else felt in the heart of any man or uttered from any American could be little less than treason to his country.

It is, therefore, for the reason only that he may be set right by a mere suggestion, which I know is sufficient when reflected upon, that I have assumed to enter upon this phase of the discussion, feeling that it is justice we seek, and only that; and my mind reverts—it is not inappropriate to enter upon that theme here in this forum—I take my text from the famous line of Bulwer-Lytton in *Richelleu*:

For justice, all seasons summer, all places a temple!

I thank the Senate.

Mr. SMOOT. Mr. President, just for the RECORD I wish to say that Hon. George Gray, the gentleman referred to by the Senator, served in the Senate from March 19, 1885, until March 3, 1899. He was a member of the commission which met in Quebec in August, 1898, to settle the differences between the United States and Canada, and later of the commission which met in Paris in September, 1898, to arrange the terms of peace between the United States and Spain. Therefore, he was a Senator of the United States at the time of his appointment.

Mr. McKELLAR. The treaty being concluded on February 6, 1899, before the expiration of his term of service on the 3d of March.

Mr. SMOOT. Yes. Now, Mr. President, I want to get back to the bill before the Senate.

#### CIVIL-SERVICE RETIREMENT.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (S. 4637) for the retirement of employees in the classified civil service.

Mr. SMOOT. Mr. President, I am compelled to leave the Chamber at this time to attend a very important meeting of the Finance Committee, and I want now to offer and have pending, unless the Senator in charge of the bill agrees to them, the amendments which I am about to state.

Mr. McKELLAR. I shall not object to the amendments.

Mr. SMOOT. Then I will just offer the amendments now and let them be passed on now.

Mr. McKELLAR. That will be all right.

Mr. SMOOT. On line 4, page 4, I move to strike out the words "and elects to receive" and insert "or is receiving."

Then I move to strike out the last word on line 4 of the same page, the word "disability," and line 5 down to and including the word "his."

After the word "service," on line 6, I move to insert the words "the period of such military or naval service."

After the word "act," on line 7, I move to insert:

And nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for.

This will be adopted, I suppose, as a whole—all one amendment.

Mr. FLETCHER. Mr. President, the Senator says this is practically all one amendment. Will he state the object of it?

Mr. SMOOT. I will state briefly the object of it.

As the bill was reported, it prevents a soldier of the Civil War from receiving any benefits under its provisions. My amendment simply allows him to receive the emoluments provided for in the bill notwithstanding the fact that he is receiving a pension for service in the Civil War.

Mr. THOMAS. In other words, it permits him to receive two pensions.

Mr. SMOOT. Well, if you could call them two pensions. If this is a pension, then what the Senator says is true.

Mr. McKELLAR. Will the Presiding Officer submit the amendment?

The PRESIDING OFFICER. The Chair understands that there is an amendment pending.

Mr. SMOOT. I ask unanimous consent that this amendment be considered now, because I have to leave the Chamber.

The PRESIDING OFFICER. Is there any objection? The Chair hears none, and it is so ordered. The Secretary will state the amendment offered by the Senator from Utah.

The SECRETARY. On line 4, page 4, it is proposed to strike out the words "and elects to receive" and insert "or is receiving." The amendment was agreed to.

The SECRETARY. On lines 4 and 5 it is proposed to strike out "disability incurred in the line of duty, the period of his."

The amendment was agreed to.

The SECRETARY. On line 6, after the word "service," it is proposed to insert "the period of such military or naval service."

The amendment was agreed to.

The SECRETARY. On the same page, line 7, after the word "act" and the period, it is proposed to insert a comma and the following words: "and nothing in this act shall be so construed as to affect in any way his right to a pension in addition to the annuity herein provided for."

The amendment was agreed to.

The PRESIDING OFFICER. The question now recurs on the amendment of the Senator from Tennessee [Mr. McKELLAR].

Mr. POMERENE. Mr. President, I ask to have the amendment stated.

The PRESIDING OFFICER. The Secretary will state the amendment.

The SECRETARY. The Senator from Tennessee offers the following amendment: On page 7, line 18, strike out the words "to whom this act applies" and insert "in the classified civil service, or of each person thereafter inducted into such service, with the exceptions herein made."

Mr. McKELLAR. That is an amendment to which the Senator from Iowa [Mr. CUMMINS] called attention yesterday.

The PRESIDING OFFICER. The question is on the adoption of the amendment offered by the Senator from Tennessee.

The amendment was agreed to.

The PRESIDING OFFICER. The Secretary will state the amendment offered by the Senator from Wyoming [Mr. WARREN].

The SECRETARY. On page 8, lines 10, 11, 12, 13, 14, and 15, it is proposed to strike out the following words:

There is also appropriated, out of any moneys in the Treasury not otherwise appropriated, a sum which, when added to the deductions herein provided and transferred from other appropriations under the provisions of this act, shall be sufficient to make payments provided by this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Wyoming.

The amendment was agreed to.

Mr. McKELLAR. The next amendment is the amendment offered by the Senator from Colorado [Mr. THOMAS], I think.

The PRESIDING OFFICER. The Senator from Colorado offers an amendment, which will be stated by the Secretary.

The SECRETARY. It is proposed to add a new section, as follows:

SEC. 17. Any employee who shall advocate, encourage, or participate in any strike against the Government, or any department, bureau, or commission thereof, or who shall join with other employees in refusing or failing to perform their duties as required by law or the rules and regulations of the heads of the departments, bureaus, or commissions, shall forfeit all right to and shall receive none of the benefits of this act.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Colorado.

The amendment was agreed to.

Mr. POMERENE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Baird	Johnson, S. D.	New	Smoot
Beckham	Jones, Wash.	Norris	Spencer
Brandegge	Kellogg	Page	Sutherland
Calder	Kendrick	Penrose	Swanson
Chamberlain	Kenyon	Phelan	Thomas
Curtis	King	Pittman	Thompson
Dillingham	Kirby	Poindexter	Townsend
Fernald	Knox	Pollock	Trammell
Fletcher	Lenroot	Pomerene	Underwood
Frelinghuysen	Lewis	Ransdell	Vardaman
Gay	McKellar	Reed	Warren
Gronna	McLean	Shafer	Watson
Hale	Martin, Va.	Sheppard	Weeks
Harding	Moses	Smith, Ariz.	Williams
Johnson, Cal.	Myers	Smith, Ga.	

Mr. McKELLAR. I desire to announce that my colleague, the senior Senator from Tennessee [Mr. SHIELDS], is still absent on account of illness. I ask that this announcement may stand for the day.

Mr. SUTHERLAND. I announce the absence of my colleague [Mr. GORF] on account of illness.

The PRESIDING OFFICER. Fifty-nine Senators have answered to their names. A quorum of the Senate is present.

Mr. POMERENE and Mr. REED addressed the Chair.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. REED. Mr. President, I do not want to interrupt the Senator if he wishes to speak on the bill.

Mr. POMERENE. I was going to offer an amendment as a substitute.

Mr. REED. I desire to have read a very short statement, to which I should like to have the Senate's attention directed, if the Senator will let me have the floor that long.

Mr. POMERENE. I yield.



## LEAGUE OF NATIONS.

Mr. REED. Mr. President, I send to the desk and ask to have read a portion of a letter written by Hon. D. J. Haff, of Kansas City, Mo., a very prominent lawyer, who has had a great deal to do with the organization of the National Security League and who has been a tower of strength in all matters of preparedness in this country. I should like to have read to the Senate the part that is not marked out. I think it is well worthy the attention of the Senate.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the matter referred to.

The Secretary read as follows:

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country; and he should have spoken then if ever he intended to. Indeed, he had nothing to say on the subject of future national preparedness except to recommend the continuance of the pre-war naval program, for which let us be thankful. So if a policy of national defense is to be adopted the people must force it.

One of the things that already are turning the thoughts of the people from the necessity of an effective policy of national preparedness is the belief which the President has fostered that we are going to have a league of nations that will effectively prevent all future wars. This, for the most part, is a dream upon which we can not afford to rely. Much can be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so ably proposed in his speech last week. A league of the more decent nations can be formed having common ideals and based purely upon treaty and honor and a sense of moral responsibility and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper"; but to have a league that will prevent war by force, that will coerce its members, is to create a supnation, which means the surrender or destruction of the independence and sovereignty of all its members.

Does any intelligent, thinking man seriously believe that we are—that the nations and the peoples of the world, or a sufficient number of them to dominate the world, are ready for such a thing, for a United States of the world? Can Aryan, Mongolian, and Hottentot, white man and yellow man and black man, Christian, Mohammedan, and Buddhist, speaking a hundred different mutually incomprehensible languages, striving after innumerable opposite ideals, rooted in thousands of years of different habits and of thinking different thoughts and molded by different educations, prejudiced by different and hostile religions, and trained in widely different moral codes, be brought together in the next three months by a peace treaty and formed into a common brotherhood, a world federation, that will kill ambition, annihilate the spirit of revenge, extinguish race pride and prejudice, hatred, greed, lust for power, and all the human passions, evil and noble, that have caused wars since the beginning of history, and thus, by a parchment-created league of nations, immediately and for all time insure the peace of the world?

Who can possibly believe, if he has intelligence and a reasonable knowledge of history, of ethnology and human nature, that it can be done in the next six months, or in a century, or in two or five centuries? Was it not Bacon who said that the only safe teacher is experience? Have the last four years taught us nothing? Did we not have an awakening that at least this generation can not, or at least should not, forget?

Well, then, let us get out of the clouds and remember the processes of evolution, the slow and painful steps by which are attained the progress of mankind and the improvement of human government.

To my mind the subject upon which the people of this country most need education during the next three months, immediately and while the peace congress is in session, is this very question of what can and what can not be accomplished by the pending peace commission and the proposed treaty in the prevention of future wars. Fools are running around dreaming foolish dreams, making much noise, and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

Mr. WILLIAMS. Mr. President, what is the name signed to that letter?

Mr. REED. I stated who signed it.

Mr. WILLIAMS. Yes; but I want to know the name. I did not hear it.

Mr. REED. D. J. Haff, a prominent attorney of my city.

Mr. WILLIAMS. Mr. President, I want to say just this in connection with that subject—

The PRESIDING OFFICER. Does the Senator from Ohio yield to the Senator from Mississippi?

Mr. POMERENE. Yes; I yield.

Mr. WILLIAMS. I will ask the Secretary to send me the letter. I am not certain that I can recall the language to which I refer.

Mr. REED. It is a private letter, and I had only a part of it read.

Mr. WILLIAMS. I know; but the Senator put it in the RECORD.

Mr. REED. I put a part of it in the RECORD.

Mr. WILLIAMS. I want to get one part of that part of it which has been read. [Reading:]

The President in his message to Congress yesterday had not one word to say on the lessons of the war, not a word regarding universal military training for our country, and he should have spoken then if ever he intended to.

Evidently this gentleman expects the United States to go into the Prussian universal military training system immediately

after the war. He expected the President to advise the representatives of the people in the Senate and the House to go into it.

He had nothing good to say on the subject of future national preparedness except to recommend the continuance of the prewar naval program, for which let us be thankful.

I am very glad to hear that this gentleman is thankful for that much, because if we keep the naval program up to where it is now nobody in Europe can ever attack us. We will be isolated—on the defensive—from all future wars. But that is not the part I was trying to reach in connection with this letter. I am trying to find the part where, as well as I remember it, he says that there are still fools raging around, having visions concerning future peace.

Mr. REED. I will find it for the Senator.

Mr. WILLIAMS. Ah! Here it is:

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

We shall be induced to sell our birthright for a mess of pottage if we are not careful.

"Fools are running around dreaming foolish dreams!" Jesus Christ dreamt it. David, the sweet singer of Israel, dreamt it. George Washington dreamt it. Robert E. Lee dreamt it. The poet Tennyson dreamt it. All these people are fools in the opinion of this Missouri lawyer. I suppose he is a lawyer. It sounds like it, from the way he talks.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

I suspect that about the Stone Age, when one fellow went after another with a club and a piece of flint, and drove that fellow and his partner—not his wife, but the female that he had captured—back into the cave, and took her away from him, that somebody rose up at once and said: "Don't be a fool. Don't be an ass. Don't run around dreaming foolish dreams. Of course, men have got to capture women every day and carry them off out of and into caves; and of course other men that are stronger have got to invade the cave and carry the woman away again; and of course barbarity is perpetual, and we can not help it." And if the argument of the Senator from Missouri be correct, of course the whole world has got to put itself upon an equal footing with Prussia after this war is over. According to the Senator from Missouri we have got to make an armed camp for the whole world as the only hope of peace.

Now, if that is the only hope of peace, upon my honor I would rather Prussia and Germany would have whipped us and we would have had universal domination with some degree of peace. If we are to tax the people all our lives to keep prepared one against the other in mutual suspicion for future warfare and look for it every morning before breakfast; if peace be a useless dream, and if the Prince of Peace be an idle superstition, and if there be no sense in the hope that perhaps humanity may settle its quarrels without murdering one another, then, as far as I am concerned, I would rather be foregathered to my forefathers to-morrow than to live in this world another 10 years. I have seen enough of it during this war.

Fools are running around dreaming foolish dreams, making much noise and disturbing sober thought.

"Making much noise." Who is making the noise? The Prussians made it in their time. The Hohenzollerns made it in their time, and the men who wanted to wait until Prussia could get to America before they fought, instead of accomplishing peace by offensive attack, made it in their time. The Huns under Attila made the noise in their time. The Goths under Alaric made it in their time. The maddened and impassioned soldiers of the French Revolution, who started out to conquer liberty and wound up by undertaking to conquer glory under Napoleon, made it in their time.

There is or is not a God. And God either is or He is not a prince of righteousness and justice. If it be true that fools only dream of peace and fools only dream of an agreement amongst nations whereby peace can be perpetuated, then there is no God of righteousness and no God of justice and no God of mercy, or else, on the other hand, if there be a God of justice and righteousness and mercy He has given me and you a common sense and a common conscience whereby we can be guided in peace consummation. Common sense means merely the sense of all average men in the aggregate, and common conscience the conscience of the average man throughout the world. If He has given us common sense and common conscience, He has given it to us as an instrumentality whereby we can reduce the world to order and to peace and to progress and to civilization, and whereby we shall not be forced to go to the Prussian junker system of universal armament, one man and one nation and people suspecting the other all the time.

"Dreaming a fool's dream, making a noise." It has not been the poet and prophet who have made the noise and dreamed the



foolish dreams. It has been the men who have violated all the dreams of the poet and all the visions of the prophet who have done it.

I was mighty glad when my boys were willing to go out and imitate their grandfather, who went out to fight for what he thought was right, but in another sense I was mighty sorry that the condition of the world was such that they had to go. I am not willing at the end of this war to confess that America and England have been wrong and that we must imitate the continental custom of keeping always armed cap-a-pie. We have just proven that we can call upon the reserve forces of our nations and conquer a constantly prepared military barbaric power. I am not willing to keep the people ground down with taxes throughout years and years because somebody says that the dream of peace is "a fool's dream." It is not a fool's dream. It is a poet's dream. It is a prophet's vision. It is a Christian's communion with God, and it is the purpose of the God of justice and of righteousness throughout the world, and that purpose must be finally accomplished through the common sense and the common conscience of the common men in all democratic countries fighting against all autocracy and against all bolshevism and all nonsense throughout the world.

Mr. REED. I hope the Senator from Ohio will indulge me for a few moments.

Mr. POMERENE. I yield to the Senator from Missouri.

Mr. REED. Mr. President, when I offered the letter of Mr. Haff to be read I had no idea of incensing the Senator from Mississippi; neither did I expect to arouse in him that zealous fervor which always makes his speech charming. Indeed, in hastily running my pencil through the paper—because this was a private letter—I inadvertently did not carry it down far enough to cut out one paragraph which might have been taken to be a criticism of the President, although it was not of an unkind or cruel nature. What I wanted to get before the Senate was this gentleman's very sane and logical statement, a statement which the Senator from Mississippi did not hear throughout, I am sure, or he would not have singled out a single sentence and made it the subject of his bitter criticism.

I do not know what the Senator may believe about a league of nations to enforce peace, but I know that although Jesus Christ nearly 2,000 years ago taught the doctrine of peace, taught the duty of men to maintain peace toward each other, He never promised us that condition until the day should come when the great God had purified the hearts of men and out of their souls had driven all cruelty, all lust, all evil, so that the lion and the lamb might lie down together. That day has not yet arrived. It may come in the providence of God and in the fullness of time. When it does come my brother from Mississippi and myself and all others will be very different men from what we are now. We will be more charitable. We will have a truer vision. We will be less inclined to get irritated. We will not fly into a passion at the opinions of another. We will have just views on all questions. We will, in truth, be fit for the angelic abodes. But I am afraid that it will never come to my friend from Mississippi or to myself until death has closed our eyes, until we have been enfolded in the embrace of that God whose charity may be great enough to cover entirely with its broad and generous mantle our manifold faults and imperfections.

Mr. President, poets have dreamed of peace, parliaments of man, and federations of the world. The vision has been and is a beautiful one, but thus far in the history of the world it has only been a dream. The nation which to-day relies solely upon maintaining peace by moral force will almost certainly become the victim of military force. There must be something besides trusting in God. The old continental commander added, "Keep your powder dry." While we are in this workaday world we must observe the actual conditions of life.

It is true that there ought to be no savages; but if a man were to go into a savage country unarmed and unprepared to defend himself it is altogether likely that he would never come out alive. It may be said that some have done this. Some saints have gone and with their kindness have won the hearts of savages. That is true, but taken by and large men do not place themselves within the power of uncivilized men.

As there are differences between individuals and tribes, so there are differences between the nations of the earth. Some are inspired by lofty ideals, by a spirit of justice. They recognize the principles of law and equity.

Others are controlled by motives of cruelty and selfishness. All of them are more or less the victims of prejudice, of race hatreds, due to differences of religion, differences in morals, differences in education, differences in blood, differences in likes and dislikes. And, above all, they are divided by hatreds

born of oppression. These differences have during the course of the ages so separated races that they almost seem not to belong to the same human family. It is lamentable to the last degree that this is so. It is equally lamentable that there should be living in peaceful Christian communities men who can lay their hands to the hilt of a knife and drive it into the breast of a sleeping man or woman and rob them of their property. Yet there are murderers. It is lamentable to the last degree that there are men who break the doors of houses and rob and plunder. Yet it is so that there are now, as there always have been, criminals upon the earth. It is regrettable that there are men so base that they will cheat and defraud their neighbors, who can gather to themselves wealth by dishonest practices. And yet every court there is in the world is but a monument to the fact that human cupidity and human cruelty and human injustice are everywhere. They universally are to be found. It is a most regrettable fact that we must have a police force in the city of Washington and in every other city of our land and in every city of the world, a police force without which women would not be safe upon the streets, homes would not be safe. Even strong men would not be safe without a force of law and order to suppress the evil elements of society.

It is a pity, sir, that men do not observe throughout the world a spirit of unalloyed equity, unsullied justice, and exalted righteousness. How beautiful a world it would be if all men would be just! There is no song that ever fell from lip or pen of poet with a more exalted or beautiful theme than that of a world in which justice rules and universal equity holds unchallenged sway. But it has not been. It is not now. We may dream that on some future day it will come, that sometime the divine light will penetrate the darkness of the human soul and the holy finger of love be laid upon hard and cruel heart of man. Yet though we may dream these beautiful dreams, the practical man, the sensible man, knows that he must guard his door, must be prepared to protect wife and child. He also knows that for similar reasons he must at all times be prepared to help protect his city, his State, and his country.

The men who assert this doctrine of common sense can afford to be sneered at. They can afford to exercise patience with those who grow excited and inclined to scold when they are told their vision of universal peace at this time is an idle dream—a foolish vision—and that at this day and age of the world it is impossible to substitute divine love for human cruelty and selfishness by the mere signing of an international agreement providing for a league of nations. If they believe it is foolish, they have a right to say so. I believe it is foolish; but I do not think everybody is a fool who does not agree with me. I made a speech the other day extemporaneously, and I believe I used an expression of that kind. I did it inadvertently. I withdraw it. There were a lot of people before the war came on who were telling us that the time for universal peace had come. I remember that one distinguished statesman negotiated some 20 treaties with some 20 nations. In those treaties agreements were made looking toward the arbitration of international difficulties.

The difficulty, as suggested to me wittily by the Senator from Michigan [Mr. SMITH], was that the treaties provided that all controversies were to remain in cold storage for a year. During all that time nothing was to be done to right any wrong; there was to be no war waged, no force used. I did not vote for those treaties. I nevertheless just as much desire peace as does my distinguished and brilliant friend. I just as much want peace as anyone. If dreams could only bring peace, I would be willing to dream from now until my eyes are closed for the last time in that dreamless sleep which comes at last to all.

Mr. KELLOGG. Will the Senator yield for a suggestion?

Mr. REED. I yield.

Mr. KELLOGG. I understand the Senator refers to the treaties negotiated by Secretary Bryan?

Mr. REED. Yes.

Mr. KELLOGG. I do not think those treaties provided for arbitration.

Mr. REED. They provided a method which we may call a method of arbitration for the purpose of what I am saying at the present time.

Mr. President, I did not vote for those treaties, and I will tell you why. As I understood them, a year must elapse before our Government could take any steps to arrest by force the doing of any act, except possibly the invasion of its own territory. I did not believe that was wise. One illustration will serve to present my view, whether it was correct or incorrect. Conceive this sort of a situation: A foreign nation seeking to gain control



of the country immediately adjacent to the Panama Canal either through the negotiation of a treaty with or by force entering Colombia.

Conceive that this nation should start to build fortifications that would command the canal. Suppose that we should protest and our protest be disregarded. Suppose we should under such conditions find ourselves confronted with a treaty which bound us to wait a year, but did not bind the other nation to cease preparing for our injury, perhaps our destruction. Suppose we thereupon sat down to wait the expiration of the allotted 12 months. Suppose that during all that time our enemy should continue to build impregnable fortresses and to back them by an army of three or four million men. Might we not be forced ultimately to sacrifice hundreds of thousands of lives and billions of dollars to drive out the fortified enemy?

Mr. President, I may have been mistaken, but that was one of the provisions I believed was wrong about those treaties. It is true we might in an exigency of that kind disregard the treaty, disregard its letter, or disregard its spirit. That is only coming back to the ancient doctrine which all of us when we are exercising our sound judgment must acknowledge, and that is that as long as we remain a sovereign nation we must retain at all times the right to defend our vital interests upon the instant, for otherwise we may receive a deathblow while we wait.

Who is to guarantee the safety of America? It can be guaranteed in two ways. One is by the strength of our own arms. It may be the trained military arm or it may be the untrained arm possessing still enough of untrained strength so that it can defend itself even against all comers. I do not stop to argue that question. But, I repeat, we can defend ourselves in one of two ways. One is by our own strength. The other is by reliance upon other nations. Find me, if you can, any other means. Either our own strength must be relied upon or else we must rely upon the strength of other nations or, I might add, a combination of the two. How, then, shall we rely upon the strength of other nations? We must rely upon their agreements. We have nothing else to rely upon. We must substitute for the ability to defend ourselves the expectation and hope that other nations will assist us if we are attacked. That means that we are to make alliances and agreements.

There never was an agreement made between nations that did not involve reciprocal obligations. If other nations agree to defend this country if attacked, then we must in turn agree to defend them if they are attacked. If other nations in mutual agreement bind themselves to maintain the peace of the world by going to war to force peace, then we are bound to likewise go to war in the quarrels of others. Thus we have a defensive alliance and also a league that binds us to enter all the wars of the world.

The advocates of the league have now reached the point where they propose that the United States shall take her sons, boys from farm and factory and countinghouse and office, and transport them across the sea to defend not the rights of the American Nation but to settle the quarrels of European or Asiatic nations with which we are not at all or only remotely concerned.

Gild it as you may with all the ecstasies of oratory or the rhapsodies of religion, soar to every height of poesy, you can not escape the hard and cruel truth that this Government, this people, must be prepared to defend itself or it must rely upon other nations to defend it in whole or in part. I repeat that if we rely upon other nations to defend us, then we must agree to reciprocally defend them.

Now, Mr. President, that being the case, is a man just exactly a monster who suggests that it is better and cheaper in the long run to have some preparation here than to be unprepared? That is all this good lawyer said, even if he is a Missouri lawyer, and my friend seemed to find offense in that. I am sorry for it.

Mr. WILLIAMS. I did not call him a Missouri lawyer.

Mr. REED. Yes, you did; but that is all right. It would not be offensive to me.

Mr. WILLIAMS. You will find by the Record that I did not use the word Missouri at all.

Mr. REED. Oh, yes; but it is immaterial, Missouri and Mississippi both being a part of this great Union.

Mr. WILLIAMS. And both beginning with "M-i and a double s."

Mr. REED. Both of them are good States, and it is a credit to any man to come from either of them. What did this gentleman say?

Much can be accomplished by the coming peace treaty by clarifying and extending the principles of international law and by punishing the German murderers and pirates who have willfully and deliberately violated them and criminally and wantonly disturbed the peace of the world, as Lloyd George so ably proposed in his speech last week. A league of the more decent nations can be formed, having common ideals and based purely upon treaty and honor and a sense of moral responsibility,

and whose membership is limited to those nations which in the past have not regarded solemn treaties as "scraps of paper," but to have a league that will prevent war by force, that will coerce its members, is to create a supernational, which means the surrender or destruction of the independence and sovereignty of all its members.

Now, I hope that that is not very far from the doctrine in which the Senator believes. I can not believe that the Senator is prepared to indorse the doctrine of a league of nations in which this country shall bind itself to engage in the quarrels, the broils, and the battles that may hereafter arise in Europe, although our interests may be entirely separate from them. I would be interested to learn what the Senator's view is upon that important question.

Mr. WILLIAMS rose.

Mr. REED. I will be glad to yield to the Senator now if he desires me to do so.

Mr. WILLIAMS. No; I thought the Senator from Missouri had concluded. I will state to the Senator my view in a moment.

Mr. REED. Very well.

Mr. President, the Senator before the last war was one of the advocates of peace; he was a pacifist; it did honor to his heart. I will not say it did dishonor to his head. I should say nothing would do dishonor to his head, for he is known as one of the ablest men of our country; and I say that from the very outpourings of my heart. But the men who taught universal peace before this war were mistaken. That is all there is about it.

I have been a believer in the old doctrine of a small standing Army and a small Navy. After I got a little closer to the scene of action as a Member of this body I began to see the necessity of a larger Navy. I believe now, Mr. President, that if the United States had had a Navy three or four times as strong as she had Germany would never have dared enter upon her program of universal destruction of the commerce of the seas and would therefore have never warned us off the waters of the Atlantic Ocean. But whether that is true or is not true we need not pause to discuss.

The Senator from Mississippi frequently says, with that terse wittiness of which he is master, that "only fools refuse to change their minds." We all in this day and age of the world are changing our minds. I have made my mind up that I do not want to see another war ever fought; but if it does come I do not want the war to be over before the United States can put on the battle front a single battery of first-class cannon that was made in our own foundries. I do not want to see a situation again where the war is fought and over and still 12 months must elapse before our first-class ordnance can be ready for the field. I do not want to see another war fought with American troops sent into action not properly defended by shell fire.

I had rather, instead of paying interest on a war debt, employ some money to build works in which we can make cannon at reasonable prices in time of peace. I would make them and cord them up and have them ready, so that if any emergency should hereafter arise we shall have the guns to fight with. I am wicked enough, reactionary enough, barbaric enough, "Stone Age" enough, to actually believe that it is good common sense to have enough rifles with which to arm our men. We did not have them when we entered this war. We were forced to change our weapon. We were able to do that with reasonable speed because England had been at war and England had employed great factories here to make her rifles. They were, therefore, prepared on rather short notice to turn out a similar rifle; otherwise some of our men would have been drilling with broomsticks up to this hour.

I am absolutely wicked enough, Stone Age enough, to have arrived at the conclusion that if England retains her great fleet—and I think she will; I have no idea that England is going to surrender that fleet, though all the poets sing the sweetest songs that ever thrilled poetic souls, though orators may soar to heights above the clouds and cavort from star to star, still Great Britain will keep that fleet; mark what I tell you; every British man-of-war will still pursue its invincible course through the waters of the seas—if that is going to be, I want the United States of America to be in a position of safety. If Great Britain will stop building ships, why, then, the rest may do so. Whatever we may be able to do by mutual agreement as to disarmament, well and good; but that is not the thing of which my friend wrote in this letter. He wrote of a league of nations by which all or a part of the nations of the world should agree to stand together and crush the power of nations that stand against them and enforce the decrees that they may write. Against that he protested; against that I protest.

Let I forget it later on, let me say now, as I said a day or two ago in a speech here, we ought to rewrite international law. It can be done. That law should be codified; its loose precedents



should be gathered into form and crystallized into an agreed law of nations. Had we possessed a law providing in plain words what I believe the law to be, according to the best precedents, no nation would have the right to declare a blockade save of ports, and there the blockade must be maintained; but no nation should have the right to undertake the blockade of an entire sea, either by scattering mines or by a paper declaration. I believe that if that had been fairly written in the law, England would not have undertaken to blockade the North Sea; and I believe if England had not undertaken to blockade the North Sea some of the difficulties that followed later might never have come. But that again is arguing a question that is in the past and one which perhaps would better not be argued too fully just now.

But thus all of the great questions of international law that have caused trouble during this war, especially those involving the rights of belligerents and neutrals upon the high seas, ought to be written down in a code of laws. Then a nation guilty of violating that code of laws would at least be compelled to answer to the moral court of the world for a willful breach of national faith.

While that itself will not guarantee us, still the ignominy which has fallen upon Germany for treating her agreements as scraps of paper would, to a large extent, tend to discourage breaches of the law agreed upon in the manner I have indicated. So there may be by common consent agreements made limiting the arms and armaments of nations. If that can be done, I am most heartily in accord with it, and I have always been. That might be accomplished, because it is reasonable. For, observe, if two men are antagonists and each of them is carrying two or three pistols as he hunts his enemy, if each shall then agree to lay down one or two of his weapons and each, in fact, shall carry out the agreement, he is comparatively as strong as he was before. Therefore that might be accomplished.

But the doctrine I am assailing and the doctrine that my friend assails in this letter is that there shall be an agreement effected between certain of the nations which shall lay down the rules of conduct for themselves and others, and that if any astute nation shall violate the rules, or if any member violates them, then that this coalition of nations will use their joint power to coerce and conquer the offender.

It may be said that is not the doctrine of the league of nations. I admit it is pretty hard to get out of all these visions that have been floating around here just what any of them mean. There was a full-page article printed in one of the papers the other day—an advertisement which was printed in many of the papers—advocating some of these doctrines. Some of the statesmen of Europe have been advocating doctrines; some of the statesmen of the United States have been advocating other doctrines. It is hard to get at what each may have in mind. Yet we may, perhaps, arrive at some general deduction.

Broadly speaking, a league of nations which goes no further than to agree that certain things are proper and certain things are improper will meet with no opposition from anybody, but a league of nations that proposes to enforce its views upon others and that binds us to contribute to it, that puts us into controversies and broils and battles and wars of Europe is another proposition, and is one that I believe the people of this country will utterly repudiate.

Mr. President, why should they not repudiate it? It is contrary to every tradition of our country. We were warned against it by Washington, Jefferson, Madison, Jackson, and all the host of men who laid the foundations and built the early structure of this Government.

If we go into an arrangement such as I am speaking of, what shall be its limitations? What nations shall be admitted? In a speech by an English statesman the other day, as I recollect it, he suggested that this league should begin with the allied nations. What is it the allies on the other side of the water are going to guarantee for the benefit of America? Are they going to guarantee us against attack? From whom do we fear attack? Are they going to protect us? From whom will they protect us? I know of no nation on earth, save one of the allies, that could harm us to-day.

The only nation that flies a flag that can seriously harm America to-day is England, and nobody anticipates trouble with England. If we did anticipate it, we would hardly be making an alliance with England to protect us against herself.

What are we to get on this side of the water from this alliance? I am speaking now in a selfish way, it is true, but it is an element of selfishness that has common sense back of it. I repeat, there is no nation save Great Britain that can land a soldier on our soil and maintain him there for 30 days; and I do not think he can land, and I am in favor of fixing it so that

he can not land even for 30 minutes. If we have to have more cannon and more ships, let us build them. We are spending enough money out here in front of this Capitol now on war workers' dormitories, that never will be occupied and still are going on to completion, to build one or two good battleships.

We pay out more money for moving pictures every year than would build a fleet of vessels. I am not an advocate of great navies unless we have to have them. I repeat, and I still repeat, what protection will we get from such an alliance?

Oh, it may be said, we will have trade abroad. Well, that is not a thing of such gravity as calls upon us to engage in all the wars of Europe.

But upon what a sea of trouble are we asked to embark? Senators, turn to the pages of your histories and ask yourselves why it is that for 2,000 years and more each war in Europe has been succeeded by another war. Many causes may be assigned, but away down deep under them all is race hatred and race ambition. Conquering hordes have time after time swept over Europe. They have crushed with brutal strength the native populations. The native populations have for years, sometimes for centuries, lain prostrate, hating and still hating their oppressors, waiting, waiting, for an opportunity to rise and strike for vengeance and liberty.

Time after time they have risen and driven them out only to find them returning. Sometimes they have held them back. In that case two races hating each other are face to face. The hatred may be wrong; it may be wicked; but you can no more eradicate it by a league of nations than you can wipe out the prejudice between the blacks and the whites in the South by passing a resolution in a New England sewing society. That may furnish the occasion for a dissertation to the effect that there is no prejudice; but, sirs, there is a prejudice.

Do you think that you can mix these alien peoples of Europe and of Asia and make them love each other by having a half dozen gentlemen of great distinction meet at The Hague or at Versailles and sign a paper? I tell you the Roumanian will remember the ravishment of his women and the murder of his old men a thousand years from now and hate the Hun as men hate who have suffered wrongs so great they can not find a voice.

Do you think that France will forgive the Hun in a thousand years? Will the Frenchman remember his women? Will he fail to remember how they were taken for medical examination before they were taken for ravishment? A thousand years from now will Belgium have forgotten the night of her horror? Will she ever cease to witness the burning of her cities, the defilement of her virgins, the massacre of her old men and old women? Will you make them love their oppressors and lie down in sweet serenity in a bed of peace, embracing with the tenderness of lovers? Will you make the Armenian love the Turk? Why, sirs, a million five hundred thousand new dead lie rotting in the ground—babes, little toddling babes, their brains dashed out before the mothers' frantic eyes, the fathers' maddened gaze; girls bound and borne off in brutal savagery to make a bed of lust for fiends incarnate, for such creatures as Moore describes:

One who could pause and kneel unshod  
In the warm blood that his hand had poured  
And mutter o'er some text of God  
Engraven on his reeking sword.

Will you make the Armenian love the Turk?

What is to be the nature of this league of nations? If it be an agreement between Christian and enlightened nations to observe just rules of conduct toward each other, trusting to their honor and integrity as nations and binding them as honor binds, then well and good; hats off, and all acclaim to such a thing as that; but, if I understand the league of nations, that is not its scope. It is to bind the signatories thereto to employ force to compel obedience. If we so bind ourselves, then when Turkey and Armenia come to clash we must send our troops there. If the Serbians and the Russians come to a clash again, our troops must cross the seas. If England and France hereafter, breaking asunder the bonds of love that bind them now, shall go to fighting, then are we again to be bound to send our sons across the sea? Shall we each time there is a broil in Europe summon our troops, impose the draft, demand the first born and the youngest of the family, and once more send an endless stream of courage and heroism, but still of flesh and blood, across the distant seas to fight in foreign lands over quarrels between races that do not speak our tongue and whose rights and wrongs we do not understand?

It may be wicked, it may be the very acme of brutality, but I protest that if this great country of ours but knows its mission it will stay here within its seagirt shores, protect itself, retain its independence, suffering no single diminution of its sovereignty by agreements with other powers, making only that

character of agreement I have so often referred to, and that it will seek to continue as the great guiding influence upon the Western Hemisphere; that we shall bind to us by ties of commerce and of love those great and virgin countries that lie to our south; that we shall seek to direct the energies of our people and the energies of their people to an honest interchange of products; that we shall make the Monroe doctrine an inviolable doctrine of nations; and that we shall seek always and at all times, by kindly counsel and by generous aid, to help to maintain the peace and the happiness of this world.

Mr. President, I have made these purely extemporaneous remarks because I thought there was nothing in the letter I had read from my friend to call for any castigation of him by the Senator from Mississippi.

Mr. WILLIAMS. Mr. President, I hate to take up the time of the Senate this late in the afternoon. It is right difficult to reply to the Senator from Missouri, because one has to wait so long to begin the reply.

The Senator from Missouri has skillfully avoided and evaded the issue. The issue was the sentence in the letter which he read calling all men fools who dreamt of a permanent and just peace. Nobody was quarreling with a great deal of the other things that the Senator from Missouri said, and nobody was quarreling with the other part of the letter that this lawyer wrote.

The upshot of all that the Senator from Missouri has said is this, that if he is to have his way we are to go back to just where we were before this war started and all the nations of the world are to be armed camps, watching and suspecting one another all the time, ready to move for purposes of aggression and ready to move for fear that others may move for purposes of aggression. Are you going to put up with that? Do you stand here and tell me that that is unavoidable? Do you tell me that the common sense and common conscience and civilization and enlightenment of the world can not avoid it?

Who was talking about trying to make the Belgians love the Germans that raped their women? I was not. Who was talking about trying to make Armenians love Turks? I was not. Nobody imagines that they can do it. But what we are trying to do is to fix the status of things so that Prussians shall no more ravish Belgian women and so that Turks no more shall drive into the desert the women and children of Armenia while they take prisoner, subject to their lust, such of the women as they choose.

The Senator has, with the usual skillfulness of an adroit lawyer, attempted to shift the issue, and has attempted to put me in the position of defending the very thing that I do not defend and of attacking the very thing that I do not want to attack. Are you going to confess that what has recently happened can not be avoided for all the future to come; that junkers and barbarians are to continue, whenever they choose, to tear up treaties as "scraps of paper," and rape women whenever they please? If so, then the Senator's speech has been successful, because it seems that he thinks that that can not be avoided. I think it can, and I think that the common sense and common conscience of the common man, welded in and devoted to democracy throughout the world, can and will avoid it for the future.

Mr. President, if I believed, as the Senator seems to believe, that ever again this disgraceful spectacle could come upon the world's arena, to be witnessed helplessly by humanity, then I would cease to believe in God, and I would cease to believe in the common reason and the common sense and the common conscience of men, His creatures.

The Senator tells me "it may be very wicked but it is inevitable." Why, when 15 or more pioneers went into Missouri or into Mississippi in the early days, the very first thing they did was to form a league of individuals, just like the only league of nations I want. They said, "We have no government, we have no sheriff, we have no clerk, we have no law that binds us, but the man who steals a horse or kills one of us we will hang." So they formed a league of individuals without any court. Every pioneer that settled any part of America went into it with other pioneers with common sense and common conscience and his judgment that said: "We must have law, we must have order, we must have justice, we must have righteousness, and we will have it if we have to hang the fellow that interferes with it." Now, that is what we are going to say, through a league of nations, to Germany or anybody else.

Mr. REED. Mr. President—

Mr. WILLIAMS. One minute. We are simply going to say that hereafter, by the grace of God and by our own might, conjoined and not disunited, that "any civilized country, or country pretending to be civilized, that dares to make war upon another without either consenting to arbitration when it is offered or offering arbitration upon its own part shall become the common

enemy of mankind," and we will deal with it like the early pioneers in Missouri dealt with a horse thief or a murderer, that is all.

Now I yield to the Senator.

Mr. REED. Of course there is nothing to be gained by the Senator or myself discussing moot questions. I was about to ask the Senator to define what he meant—what he thinks ought to be the objects of this league of nations and the reciprocal obligations.

Mr. WILLIAMS. Just precisely what was the object of the first 25 men that ever met in Albermarle County, Va., when it was upon the frontier. That was to agree that there should be peace and law and honor and justice and righteousness, and if anybody interfered with it they were going to be put outside of the pale of the law and be treated accordingly.

Mr. REED. And punish them, if necessary, by force?

Mr. WILLIAMS. And punish them, if necessary; yes.

Mr. REED. Now, will the Senator yield, just so that I may understand him? That is all.

Mr. WILLIAMS. Yes.

Mr. REED. I am not asking this in a controversial vein.

Mr. WILLIAMS. Ask your question. I yield for a question.

Mr. REED. I am going to ask it. Does the Senator believe that we ought to agree with one or more or all of the nations of Europe, so that in case some nation in Europe did not obey the regulations of this league we would become a party to helping conquer that nation?

Mr. WILLIAMS. Mr. President, the Senator speaks of "the regulations" of this league. I have said nothing about the regulations of this league, and I have not said that they would make any regulations, except one plain proposition, and that is to spread abroad and proclaim the ukase, if you choose to call it so, that no civilized nation shall dare make war upon another without either offering or accepting fair arbitration. Now, that is the only regulation necessary. If they refuse to abide by that, then I say unhesitatingly that the civilized world ought to declare them the enemy of mankind and of civilization; cut them off from traffic and travel upon the high seas; cut them off from all other traffic and travel, as far as you can, and from raw materials of industry; and, if necessary, send my boys, yes, to whip them into order.

Mr. REED. That is what I wanted to know.

Mr. WILLIAMS. Why, what happens in ordinary society? Why is it that the Senator from Missouri does not load himself up to kill me when we have a difficulty?

Mr. REED. Because I would not do it under any circumstances.

Mr. WILLIAMS. Well, I say, but why do you not if you are mad enough?

Mr. REED. The Senator does not mean that I am mad, of course.

Mr. WILLIAMS. It is not because you are too good to do it, or that I am, if we get mad enough, but it is because you know the force that is behind the constable and the sheriff. [Laughter.]

Mr. REED. Mr. President, of course, in the case of a timid man like myself that might be true; but as for a valiant soul like the Senator from Mississippi, I know that if he wanted to shoot a man he would not hesitate on account of the sheriff. [Laughter.]

Mr. WILLIAMS. I am arguing seriously. What keeps the world in order? What keeps all of you in order? What makes you carry your controversies to the court instead of settling them with pistol or knife is the fact that the court has force behind it, and what actually occurs is this: In not one case in ten thousand does the court ever have to show its force. Your mere consciousness of the fact that the force is behind the court keeps you in order, keeps the Senator from Missouri in order, keeps me in order, and keeps a whole lot of other people in order. He and I have seen the time when we would have liked to kill a fellow that made us mad enough, but we have been educated to believe that we ought not to do it. We have been educated to believe that society had a right to settle our controversy and that we had no right to settle it for ourselves.

The Senator a moment ago said that it "might be wicked, but even the city of Washington had to have police," and every city has to have them. Yes; but every man in Washington is not his own policeman, is he? All the people in Washington together select a police, and they police; but if you left each man to be his own policeman and go out and arm himself cap-a-pie to fight the balance of the world and put a chip on the top of his head and dare you to knock it off, what sort of civilization would you have?

The whole truth is, the world has one more step to make. Long ago individuals agreed that it was better to suffer a little



wrong now and then than it was to let each man be his own judge and his own executioner, and the nations of the world have to learn the same thing. Civilization will never be transmitted into enlightenment until they do, and it is not necessary to have any long list of regulations. You need only one principle; that principle is simply to say: "Before you dare go to war you must submit to the national arena, some fair arbitrament of your own choice and of your antagonist's choice, or, if you choose, some court selected beforehand by all nations of the civilized world the question in controversy." If you do not submit it, or if somebody offers to submit it to you and you do not agree to it, then you shall become like any outlaw in the United States or the District of Columbia becomes when he declines to leave the cause in controversy to the courts and undertakes to settle it for himself.

Mr. REED. Mr. President—

Mr. WILLIAMS. I want to get through.

Mr. REED. On the point, of course I suppose the Senator means to include in the proposition that the question must be submitted the further thought that the decision, when made, must be obeyed.

Mr. WILLIAMS. Certainly.

Mr. REED. Then the Senator proposes that if our country has a controversy with any nation, before it can defend itself by force it must submit to the decision of some tribunal.

Mr. WILLIAMS. Absolutely.

Mr. REED. Who is to select that tribunal?

Mr. WILLIAMS. I understand the Senator's question. The Senator a moment ago, in his own speech, answered his own question. He said there never was any obligation without reciprocal obligations. If we enter into an agreement whereby Turkey and Germany must be made to behave themselves before an international tribunal, then we also must agree that we shall behave ourselves, and there must be a tribunal organized that is fair enough, or we can select arbitrators and they can select umpires, and we must abide by the decision. It is no disgrace, if I have quarreled with you, for me to abide by the decision of the court.

Mr. REED. Will the Senator yield for another question?

Mr. WILLIAMS. I will.

Mr. REED. Would the Senator be willing to submit the Monroe doctrine to an international court the majority of which of necessity would be composed of Europeans?

Mr. WILLIAMS. Mr. President, if what I hope to see is consummated, the Monroe doctrine, like a great many other things, will cease to be at all, because there will take its place a Monroe doctrine of the entire world, and a Monroe doctrine merely confined to the Western Hemisphere will cease to exist; there will be a Monroe doctrine for the world. When you undertake to say that there shall be no war unless after arbitrament, that applies to the Western Hemisphere as well as to everybody else; and when the Senator asks that question there is in his mind the idea that while we are willing to subject Europe and Asia and Africa to a sort of league of nations, we are not willing to subject America to it.

Mr. REED. The Senator—

Mr. WILLIAMS. I want to get through, but still I will answer another question.

Mr. REED. I beg the Senator's pardon; just this one:

The Senator states that he hopes to see the Monroe doctrine abrogated, or its place taken—

Mr. WILLIAMS. By a universal world Monroe doctrine.

Mr. REED. He hopes to see substituted for it a universal world Monroe doctrine. I will not stop to discuss that; but this is the question:

Suppose, notwithstanding the setting up of this universal world Monroe doctrine, some nation should actually cross the ocean and break the Monroe doctrine upon this side—

Mr. WILLIAMS. I am ready to answer that question.

Mr. REED. And suppose that an international court had been set up to which that question was to be submitted; and suppose the majority of that international court was composed of the representatives of European governments, as it would be.

Mr. WILLIAMS. I can not suppose that.

Mr. REED. It is necessary to suppose it.

Mr. WILLIAMS. It is not necessary to suppose it.

Mr. REED. Or else it is necessary to suppose that European governments are going to—

Mr. WILLIAMS. We would select arbitrators, and the other country having controversy with us would select arbitrators, and they would select an umpire.

Mr. REED. Suppose you could not agree on arbitrators.

Mr. WILLIAMS. Well, we would agree; the world and humanity would make us agree.

Mr. REED. But you would not agree in a case of that kind—that is exactly the point—unless you had a permanent court.

Mr. WILLIAMS. Now, let the Senator ask the question.

Mr. REED. Would the Senator be willing to submit that question to any court?

Mr. WILLIAMS. Mr. President, if any nation in the world undertook to invade Central or South America and to defy the Monroe doctrine it would become our duty, if this scheme goes through, to leave to arbitration not the Monroe doctrine but the question in controversy, whatever it was. You can not leave the Monroe doctrine to arbitration.

Mr. REED. No; you leave the invasion.

Mr. WILLIAMS. But you would have to leave to arbitration the question in controversy, which, in our opinion, involves the Monroe doctrine. We would propose it; and if the other nation did not agree to it then we would have behind us Great Britain and her colonies and France and Italy and Belgium and Roumania, if my idea shall be consummated, to whip that nation into agreeing to arbitration. Now, if they did agree to arbitration and we went to it and the arbitrators decided against us, then we ought to submit. No man has a right to speculate on the court. No man has a right to agree to leave a thing to arbitration with the back thought that he will obey the decision provided it is his way and he will violate it if it is not. That goes without saying, if we are honest men.

I noticed another thing about the Senator's speech. He could not keep from betraying the fact that back of it all was either a hatred or a fear of Great Britain. He spoke very contemptuously of "the blockade of the North Sea." If it had not been for the blockade of the North Sea, we would have been whipped to-day; Germany would have been successful.

Mr. REED. The Senator misunderstood me.

Mr. WILLIAMS. No; the Senator said: "From whom do we fear attack, unless it is from Great Britain herself?"

Mr. REED. Oh, well, Mr. President, I did not use the phrase in that way. I do not want the Senator, at this period of the international situation, to intimate that I said that we fear attack from Great Britain.

Mr. WILLIAMS. I did not say you did. You said: "From whom can we have a fear of attack except from Great Britain herself?"

Mr. REED. Oh, no. Let me get the Senator right, because, while I care nothing about the matter of controversy—

Mr. WILLIAMS. I wish the Senator would let me make, in an orderly way, the few remarks I have to make. If I am wrong, the Record will show it. That was my recollection of what the Senator said; and if I am wrong, the Record will show it.

Mr. REED. Let me make the statement. It will take but a second.

The thought I sought to express was that there was but one nation in the world that could injure us, and I said that it was unthinkable that she would attempt it; but there was only one that could, and that was Great Britain. That is very different from saying that I feared attack from her.

Mr. WILLIAMS. I understand; yes. The innuendo was there, however.

Mr. REED. Well, all right.

Mr. WILLIAMS. Now, Great Britain has had command of the seas for over a hundred years, and with the exception of ourselves she is the most peace-loving nation in the world. There is no reason why we shall not have command of the seas in another 20 years if we choose. We have the resources, we have the money, and nobody can object to our building the ships. The Senator has undertaken to make it rather appear as if I did not want any Navy. He did not say so, but he argued against a man of straw, and he was answering me. It looks as if that was the impression that he meant to leave.

I want the English-speaking race to control the seas of the world, and I want them to do it not because they are the English-speaking race or my race, but because they are the only two branches of any race in the world who love peace and who will fight for peace. We will both do it, and I think we are a little bit better tempered to do it than the English, even. We love peace more than the English, even. Our passion is peace.

So I have no idea that England is going to surrender the control of the seas. There is only one thing that could make England surrender the control of the seas, and that would be an absolute reliance on the fact that we had control of the seas; and if we had it she might be willing to surrender it, because she would know that we were never going to use the control of the seas for the purpose of waging a war of aggression or of starvation upon her. She is bound to keep control of the seas as far as the Continent of Europe is concerned. If she allowed the Continent to have control of the seas, she would be starved in eight weeks; and you do not expect her to surrender the control except upon the one condition that we get it and can hold it. In that event both of us would have it and keep it



with a common peace purpose. If so, we will hold it as trustees for her, just as her fleet held the seas as trustees for us during this war. If it had not been for the fact that she had control of the seas, if it had not been for the English fleet, we would have had a pretty hard time. We could not have got the men over. We would have had to wait here until these pacifists and front-door fellows had been satisfied—the fellows that wanted us to stay in our yard until the enemy got in through the gate, and for God's sake not to go outside and meet him in the street. If he had got as far as the front yard, we would have been gone. That would have been the end of us for a while, at any rate.

Mr. President, this war has been fought in vain, the blood of our sons has been shed unavailingly, our treasure has been poured out like water for nothing, if at the end of this war some other autocracy, some other junkerthum, some other despotism, can perpetrate the outrage which Germany perpetrated when she invaded Belgium and which Austria perpetrated when she sent the ultimatum to Serbia.

The Senator goes on and talks about what a vain dream it is "that the lion and the lamb shall lie down together." Of course, it is a vain dream that the lion should willingly lie down; but in every civilized country in the world the lion has been controlled so that he either had to lie down or get out of the country, and that is what we are going to do with the lion in this case. He has either got to lie down or he has got to get out and go into the desert. Christ said that He did not come "to bring peace to the world but a sword"; and what He meant is just what I am talking about—that as far as the unrighteous are concerned, and the wicked, and the barbaric, and the men who believe in war, and who believe that war is the only way to carry on the world, they must either lie down in peace and make out like they are lambs, or they must be killed, or they must take to the desert.

The Senator speaks of "this workaday world." Why, the world that we have been fooling with for four years is not a workaday world. It is a murder-a-day world. It is a murder-a-second world. We do not want any more of it. Nobody is trying to control the world by moral suasion. Every word that I have said shows that I want behind the agreement of the nations that enter into this agreement something besides moral suasion. I want the force of each nation by its solemn plighted word, or I want, at any rate, enough appearance of force to make the wicked and barbarous peoples think that the force is there, and therefore fear to defy it.

The Senator says very truly that thus far we have not come to that sort of thing. No; we have not. Up to a few years ago—not many years as the world goes—somebody might have risen and said that "so far we had not come to the point where men were willing to leave their controversies to the courts." A man might very well then have been justified in believing that humanity would never reach the stage of perfection where it would agree to that.

I believe, Mr. President, with Thomas Jefferson, not in the perfection of humanity but in its "indefinite perfectability." You may tell me this, that, or the other desirable thing can not be done because of human nature, but my answer is that all you have got to do is to change your own human nature and use your own influence to change other people's human nature until there shall be a revolution in human nature that will suit new conditions.

Of course, you can never have justice and peace and righteousness on the earth as long as men get up and say it is impossible to have it, or as long as the majority of men say it, because until you get a majority of common sense and common conscience of the common people together on a proposition the minority is helpless. It is a psychological problem after all. All you have got to do is to have enough people *will* to have it, and then you will have it. If the Senator and I were about to engage in a controversy in which we had made up our minds to kill one another, and somebody would have me will not to kill him, half of the controversy would have disappeared, and if somebody would have him will not to kill me all of it would have been gone.

Mr. President, I understand that this is a sort of a question that ought not to be very much a matter of controversy but of mutual debate; it ought to be a matter of cool consideration in a mood that neither the Senator from Missouri nor I are experts, and that is a prayerful mood. He and I do have prayerful moods, I do not doubt, at times, notwithstanding the fact that we make no preaching of anything of that description.

It would be a sad thing to believe, it would be an awful thing to think, that humanity was absolutely chained and bound and helpless, and that this carnival of crime and barbarity and

atrocities that we have just witnessed should be permitted to occur again. I remember that the British Army went into an action with the cry on their lips, "Never again"—fighting in order that that sort of thing should never again be necessary. You do not want it, I do not want it, nobody really wants it. Then, if we do not want it hard enough and strong enough and earnest enough it will not happen, and if there is somebody such a barbarian that he wants to have it, that he wants to carry it on, just say to him, "As much as we hate bloodshed your blood is the penalty." Kill him; yes, kill him like a mad dog. Kill him because he is a mad dog. Kill him because there is no other way to deal with him. Kill him in the name of peace, and kill him in the name of the Prince of Peace. Put force behind your league or your alliance or your agreement or whatever you call it. Put behind it also the willingness that when fair arbitrators decide against you you will submit, and when fair arbitrators decide against the other fellow you are going to make him submit.

Mr. REED. Mr. President, I think I could have done the Senate no greater service than when I offered this letter. It has been the occasion of clearing up, at least so far as the distinguished Senator from Mississippi is concerned and so far as I am concerned, a question that ought to be made plain, namely, what the proposal of those who bring forward the league of nations really is. The Senator from Mississippi has frankly stated that the proposition is to create a league of nations to enforce peace; that this league of nations is to provide, among other things, that no country or people shall go to war on any account until it has first submitted its contentions to arbitration or to a court—

Mr. WILLIAMS. Or offered to.

Mr. REED. Or offered to, and that the decision of that court when rendered must be obeyed, and if it is not obeyed then the force of the entire league will be used against the nation which fails to obey. Baldly stated, it is then proposed by the advocates of the league of nations that the United States shall agree to submit every controversy, however vital to the life of the Republic, to a court, and that it shall obey the mandate of that court upon peril of being conquered by an international army which it has helped to create and to which it has contributed men and money—

Mr. WILLIAMS. If the Senator will pardon me a minute, I said nothing about an international army.

Mr. REED. You plainly spoke of an international force.

Mr. WILLIAMS. Each country signing the treaty is to proceed to enforce its own agreement.

Mr. REED. Very well; in the aggregate that constitutes an international force or army.

Mr. WILLIAMS. I would not have an international army with a supernational. I agree with you about that.

Mr. REED. An international force is then to be created which when gathered shall crush this Nation for failure to obey the court's decree—that is the proposition as now modified.

Mr. President, an international court, as I showed the other day, would necessarily be composed of the representatives of the different nations of the earth. In order to be international it would necessarily have upon it the representatives of all the European nations. The European nations, as Washington said, have many interests in common and those common interests may all unite or exist in common against us.

Mr. WILLIAMS. If the Senator will pardon me, I said nothing about an international court. I said "arbitration." Ordinarily when arbitrators are to be selected one of the parties in the controversy selects a part, the other another part, and the several select an umpire.

Mr. REED. Mr. President, the term "court" was used not only by the Senator but it is in common use by the champions of the league. I am, however, willing to discuss both phases—decision by a court and decision by arbitration. Let me proceed with the court theory first. The court must be composed, as I have said, necessarily of representatives of European nations as well as our own. The European nations, as Washington warned us, I repeat, have interests peculiar to themselves, which may be common against us. Imagine, therefore, a controversy involving such a question. What would be our state if we were obliged to submit it to a court made up in the whole or in a substantial part from those having an interest against us?

Suppose, for instance, that a European nation should undertake the exploitation of a South American State, and the question should arise whether either the Monroe doctrine or the doctrine of the league of nations was being violated. Suppose we were obliged to submit that question to an international court. Is it not easy to see how the nations of Europe having representatives on this court might have a common interest



against the United States? And we would be compelled to submit this doctrine, so vital to our sovereignty and interest, to a court packed against us.

But the Senator abandons the idea of a court and takes refuge in a board or tribunal of arbitration. Really there is a distinction without much difference. By whatever name the tribunal is called, if it has the power of final decision it performs the office of a court. If it be permanent it is a permanent court. If it be temporary it is a temporary court. Mr. President, any league that proposes a tribunal of arbitration and does not name the arbitrators in advance leaves the situation so that in case of emergency incalculable damage might happen before an arbitration court could be selected and convened. Hence it would seem that the arbitrators must be agreed upon in advance. Thus we have in fact a court called by the name of a board of arbitrators. Who, now, are to constitute these arbitrators? Manifestly we could not ask to control. Manifestly some of them would be selected by our enemy. Manifestly the enemy might prevail and by strength or fortune get a majority prejudiced by interest or ties of blood in his favor. In that event the United States is obliged, nevertheless, to go to decision upon a vital matter before a board of arbitration a majority of which is against us from the first. These are the things we are asked to submit to, and if we do not submit to the decision, though it is vital to us, though it involves our national life, we are to be then crushed by a concert of nations that have a force already created for their express purpose.

Mr. President, put that to the American people. Submit to the American voter whether he will ever turn over the vital interests of this Nation to a tribunal a majority of which may be composed of foreigners and even of our enemies. Ask him for his answer. You will receive it in no uncertain terms, for the American people have some common sense left, even if some other people have not.

The distinguished Senator said another thing that conclusively proves he does not believe the doctrine he so vehemently preaches. Let us see what is this doctrine. He would have universal peace. He would have it by virtue of a league of nations. Yet, sir, he says that England must never surrender her sovereignty of the seas unless she surrenders it to us. In other words, this scheme of universal peace demands first, last, and all the time an invincible navy that can command the waters of every sea, and this navy must be that of our friend, England, or it must be our own. So we are only to have a league of universal peace upon condition that the rest of the world agrees that England and the United States, one or both, shall be able to lick every other nation. That is the dream of universal peace and "parliament of man" we are scolded for not accepting.

Mr. President, a little common sense applied to that and I believe we can arrive at the conclusion that the Senator's premise of a great navy for England that will command the seas destroys the very thought of a league of nations. Why? Let us follow it. Suppose that every nation in the world was to be disarmed to-morrow, but that England was to retain her great fleet commanding the seas. England would then command the world and stand "astride it like a colossus," and all the other nations, like little things, could crawl in and out between England's great legs.

I do not say this out of unkindness to England. How can you talk about giving England the supremacy of the sea without at the same time conceding to her supremacy upon the land, provided you insist that the other nations shall disarm upon land? When you have conceded England's supremacy upon the seas and all the other nations of the world then remain helpless upon the land they will be in a condition where they can be at once overwhelmed, where England can bring her troops from every quarter of the globe and all her allies from every clime and hurl them upon a nation standing defenseless. Few of the nations will be so foolish as to agree to that.

I do not say this out of unkindness for England. I anticipate no trouble with Great Britain. Proud I am that my blood comes from the Scotch and Irish part of Great Britain. I am no twister of the British lion's tail, but I know when we assemble around the council table the statesmen of the world they will be as jealous of England as England will be of them. I know that you can not ask that England shall retain dominion of the seas and they shall all lay down their arms upon the land. If you do ask it you will be laughed at.

So the Senator does not believe in his own doctrine. I will tell you the kind of a league of nations he believes in. His league of nations is something that suits his own ideas. It is the union of the English-speaking folk wherein England and America will dominate and all the rest of the world will obey,

and if they do not obey, then the treatment is—I quote the Senator—to "kill them like mad dogs, and kill, and kill, and kill, even in the name of the Prince of Peace." That will be a very sacrilegious thing to do, to kill in the name of the Holy Christ. It is true, the Emperor William did that.

Now, the whole truth is that the controversies of nations have many of them been in the best of faith. Two nations each believing the other was wrong have gone to war. Such cases have made the great majority of controversies that have brought on modern wars. Each has thought the other wrong, each has thought itself right.

So when you form your league of nations the dominant nations will think they are right about certain things and that the other nations are wrong, and will insist that the other nations shall obey, and if they do not, then they are likely to adopt the doctrine of the distinguished Senator from Mississippi and "kill, and kill, and kill." So the Senator is back in the slaughterhouse of the ages, with his league of nations and all his talk of peace, as bloody as the Kaiser's Huns. You get nowhere by that sort of a tirade. You get nowhere by going around that circle, and you get nowhere by misrepresentation.

I said with great clearness, if I am capable of making a clear statement, that I believe the nations of the world could assemble around the council table and write a code of international law so clear that any nation that violated it would stand before the world as an outlaw, a moral outcast, a moral leper. Just as Germany stood before the world when she invaded Belgium. That is a great force in this world, not in any manner to be discounted or to be sneered at. I believe it is possible to agree to a partial disarmament of nations. But I do not believe in a league of nations that proposes to enforce the views of the majority or the decisions of any court upon any other nation, for that is the old Holy Alliance over again. One of these days before this debate is ended I propose to compare the Holy Alliance and the time in which it was formed with some of the circumstances and facts of this day.

Mr. President, I am glad we have had this discussion. We have at last had one frank avowal on this floor that men propose to submit the vital interests of the American people to a tribunal a majority of which may be and undoubtedly will be foreigners and enemies of this country. That doctrine baldly stated to the American people will be repudiated in every hamlet and village of America.

#### EXECUTIVE SESSION.

Mr. McKELLAR. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 5 o'clock and 25 minutes p. m.) the Senate adjourned until to-morrow, Thursday, December 5, 1918, at 12 o'clock meridian.

#### NOMINATIONS.

*Executive nominations received by the Senate December 4, 1918.*

##### UNITED STATES SHIPPING BOARD.

Charles R. Page, of California, to be a member of the United States Shipping Board for a term of six years. (A reappointment.)

##### MISSISSIPPI RIVER COMMISSION.

Col. Curtis McDonald Townsend, Corps of Engineers, United States Army, for appointment as a member of the Mississippi River Commission, provided for by the act of Congress approved June 28, 1879, entitled "An act to provide for the appointment of a 'Mississippi River Commission' for the improvement of said river from the Head of the Passes near its mouth to its headwaters," to which office he was appointed during the last recess of the Senate, vice Brig. Gen. William H. Bixby, Corps of Engineers, United States Army, retired, relieved.

##### COLLECTOR OF CUSTOMS.

James L. McGovern, of Bridgeport, Conn., to be collector of customs for customs collection district No. 6, with headquarters at Bridgeport, Conn. (Reappointment.)

##### COLLECTOR OF INTERNAL REVENUE.

Bertram Gardner, of Garden City, N. Y., to be collector of internal revenue for the first district of New York, to fill an existing vacancy.

##### ASSISTANT CHIEF INSPECTOR OF LOCOMOTIVE BOILERS.

John A. Shirley, of San Antonio, Tex., to be assistant chief inspector of locomotive boilers.

## REGISTERS OF LAND OFFICES.

Henry P. Andrews, of California, to be register of the land office at Sacramento, Cal., his present term expiring December 28, 1918. (Reappointment.)

Robert W. Davis, of Florida, to be register of the land office at Gainesville, Fla. (Reappointment.)

## RECEIVER OF PUBLIC MONIES.

Perry M. Colson, of Florida, to be receiver of public moneys at Gainesville, Fla. (Reappointment.)

## APPOINTMENTS IN THE ARMY.

## GENERAL OFFICERS.

*To be major general.*

Lieut. Gen. Robert L. Bullard, United States Army, emergency.

*To be brigadier generals.*

Maj. Gen. George W. Read, United States Army, emergency.  
Maj. Gen. Charles H. Muir, United States Army, emergency.

Maj. Gen. Charles T. Menoher, United States Army, emergency.

Maj. Gen. James W. McAndrew, United States Army, emergency.

Maj. Gen. William G. Haan, United States Army, emergency.

Maj. Gen. James G. Harbord, United States Army, emergency.

Maj. Gen. John L. Hines, United States Army, emergency.

Maj. Gen. Charles P. Summerall, United States Army, emergency.

## MEDICAL CORPS.

*To be brigadier generals.*

Col. Walter D. McCaw, United States Army.

Maj. Gen. Robert E. Noble, United States Army, emergency.

## DENTAL CORPS.

*To be first lieutenants with rank from November 30, 1918.*

First Lieut. David L. England.

First Lieut. Erwin F. Bence.

First Lieut. Harold D. Lacy.

First Lieut. Harold S. Whitney.

## FIELD ARTILLERY ARM.

*To be second lieutenant with rank from November 1, 1918.*

Cadet George Brooke McReynolds.

## PROMOTIONS IN THE ARMY.

## MEDICAL CORPS.

*To be colonels.*

Lieut. Col. Louis T. Hess, Medical Corps, from August 30, 1918.

Lieut. Col. Christopher C. Collins, Medical Corps, from October 30, 1918.

Lieut. Col. Benjamin J. Edger, jr., Medical Corps, from November 11, 1918.

## CORPS OF ENGINEERS.

*To be captains.*

First Lieut. Girard B. Troland, Corps of Engineers, from October 13, 1918.

First Lieut. Llewellyn M. Griffith, Corps of Engineers, from October 23, 1918.

## PROVISIONAL APPOINTMENTS, BY PROMOTION, IN THE ARMY.

## INFANTRY.

*To be captains.*

First Lieut. Augustine J. Zerbee from August 10, 1918 (subject to examination required by law).

First Lieut. Frank A. Helleman from August 10, 1918.

First Lieut. Lauritz D. Simonson from August 27, 1918.

First Lieut. Carl R. Perkins from September 6, 1918 (subject to examination required by law).

First Lieut. Franklin W. Cheney from September 7, 1918 (subject to examination required by law).

First Lieut. George F. Wellage from September 12, 1918.

First Lieut. Alfred F. Biles, jr., from September 14, 1918 (subject to examination required by law).

First Lieut. Charles T. Hearin from September 29, 1918 (subject to examination required by law).

First Lieut. John F. Fredin, jr., from October 2, 1918 (subject to examination required by law).

First Lieut. James B. Wise, jr., from October 5, 1918 (subject to examination required by law).

First Lieut. Clarence M. Culp from October 5, 1918 (subject to examination required by law).

First Lieut. Robert D. Horton from October 5, 1918 (subject to examination required by law).

First Lieut. Charles B. Kehoe from October 5, 1918 (subject to examination required by law).

*To be first lieutenants.*

Second Lieut. Harrison B. Beavers, from July 27, 1918.

Second Lieut. Elbridge Colby, from July 27, 1918.

Second Lieut. Allan H. Snowden, from July 31, 1918.

Second Lieut. Herbert D. Gibson, from August 3, 1918.

Second Lieut. Goulding K. Wight, from August 10, 1918.

Second Lieut. Harry S. Wilbur, from August 21, 1918.

Second Lieut. Albert S. Johnson, from August 24, 1918.

Second Lieut. Clarence O. Black, from August 27, 1918.

Second Lieut. Paul B. Robinson, from September 6, 1918.

Second Lieut. William L. Coulter, from September 6, 1918.

Second Lieut. Glen E. McCarthey, from September 7, 1918.

Second Lieut. Joseph H. Hinwood, jr., from September 12, 1918.

Second Lieut. Russell F. Walthour, jr., from September 13, 1918.

Second Lieut. James C. De Long, from September 14, 1918.

Second Lieut. Joseph P. Lawlor, from September 18, 1918.

Second Lieut. Timothy A. Pedley, jr., from September 23, 1918.

Second Lieut. Charles N. Owen, from September 29, 1918.

Second Lieut. Charles R. Gideon, from September 30, 1918.

Second Lieut. Archie MacI. Palmer, from October 2, 1918.

Second Lieut. Jack B. Chadwick, from October 2, 1918.

Second Lieut. John R. Bair, from October 5, 1918.

Second Lieut. James S. Varnell, from October 5, 1918.

Second Lieut. Arthur F. Dahlberg, from October 5, 1918.

Second Lieut. Russell C. Chapman, from October 5, 1918.

Second Lieut. Edwin T. Bowden, from October 5, 1918.

## CORPS OF ENGINEERS.

*To be captain.*

First Lieut. Simon Medine, Corps of Engineers, from October 26, 1918.

*To be first lieutenants.*

Second Lieut. Roland Jens, Corps of Engineers, from August 20, 1918.

Second Lieut. William E. Thrasher, Corps of Engineers, from October 13, 1918.

Second Lieut. George W. Coffey, Corps of Engineers, from October 23, 1918.

Second Lieut. George O. Consoer, Corps of Engineers, from October 26, 1918.

## FIELD ARTILLERY ARM.

*To be captains.*

First Lieut. Francis Fielding-Reid, Field Artillery, from October 8, 1918.

First Lieut. Harold H. Ristine, Field Artillery (subject to examination required by law), from October 19, 1918.

First Lieut. Oscar L. Gruhn, Field Artillery, from October 20, 1918.

*To be first lieutenants.*

Second Lieut. Dennis P. McCarthy, Field Artillery, from October 2, 1918.

Second Lieut. Albert Tate, Field Artillery, from October 8, 1918.

Second Lieut. Le Count H. Slocum, Field Artillery, from October 19, 1918.

Second Lieut. John H. Shelton, Field Artillery, from October 20, 1918.

## COAST ARTILLERY CORPS.

*To be first lieutenant.*

Second Lieut. Charles S. Harris, Coast Artillery Corps, from October 18, 1918.

## CAVALRY ARM.

*To be first lieutenant.*

Second Lieut. Gilbert X. Cheves, Cavalry, from October 15, 1918.

## PROVISIONAL APPOINTMENTS, BY TRANSFER, IN THE ARMY.

## COAST ARTILLERY CORPS.

First Lieut. LeRoy Lutes, Infantry, to be first lieutenant in the Coast Artillery Corps with rank from April 30, 1918.

## INFANTRY ARM.

First Lieut. Richard B. Gayle, Coast Artillery Corps, to be first lieutenant in the Infantry Arm with rank from April 30, 1918.



## APPOINTMENTS AND PROMOTIONS IN THE NAVY.

Victor Blue to be Chief of the Bureau of Navigation in the Department of the Navy, with the rank of rear admiral, for a term of four years.

David W. Taylor to be Chief Constructor and Chief of the Bureau of Construction and Repair in the Department of the Navy, with the rank of rear admiral, for a term of four years from the 13th day of December, 1918.

Capt. Henry A. Wiley to be a rear admiral in the Navy, for temporary service, from the 28th day of November, 1918.

Commander Richard D. White to be a captain in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. John L. V. Hill to be a lieutenant commander in the Navy, for temporary service, from the 26th day of October, 1918.

Lieut. William W. Meek to be a lieutenant commander in the Navy, for temporary service, from the 5th day of November, 1918.

Lieut. Justin McC. Miller to be a lieutenant commander in the Navy, for temporary service, from the 7th day of November, 1918.

The following-named lieutenants to be lieutenant commanders in the Navy, for temporary service, from the 14th day of November, 1918:

Ellsworth Davis,  
Harry R. Gellerstedt, and  
Charles J. Parrish.

Lieut. Oliver L. Downes to be a lieutenant commander in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Thomas E. Flaherty to be a lieutenant in the Navy, for temporary service, from the 1st day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 10th day of October, 1918:

Charles W. Classen and  
John B. Cooke.

Lieut. (Junior Grade) Allen R. Chandler to be a lieutenant in the Navy, for temporary service, from the 11th day of October, 1918.

Lieut. (Junior Grade) Maurice M. Rodgers to be a lieutenant in the Navy, for temporary service, from the 14th day of October, 1918.

Lieut. (Junior Grade) Frank Hannon to be a lieutenant in the Navy, for temporary service, from the 15th day of October, 1918.

Lieut. (Junior Grade) Harry F. Gray to be a lieutenant in the Navy, for temporary service, from the 26th day of October, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 5th day of November, 1918:

Leonard W. Johnson,  
John J. Arnaud, and  
Walter C. Haight.

Lieut. (Junior Grade) Charles E. S. Lines to be a lieutenant in the Navy, for temporary service, from the 7th day of November, 1918.

Lieut. (Junior Grade) John Sharpe to be a lieutenant in the Navy, for temporary service, from the 10th day of November, 1918.

Lieut. (Junior Grade) James D. Rorabaugh to be a lieutenant in the Navy, for temporary service, from the 13th day of November, 1918.

The following-named lieutenants (junior grade) to be lieutenants in the Navy, for temporary service, from the 14th day of November, 1918:

Charles P. Porter,  
Raymond S. Kaiser, and  
Loar Mansbach.

Lieut. (Junior Grade) Milton E. Robison to be a lieutenant in the Navy, for temporary service, from the 28th day of November, 1918.

Lieut. (Junior Grade) Daniel F. Mulvihill to be a lieutenant in the Navy, for temporary service, from the 15th day of August, 1918.

Ensign Peter J. Riley to be a lieutenant (junior grade) in the Navy, for temporary service, from the 21st day of September, 1918.

The following-named ensigns to be lieutenants (junior grade) in the Navy, for temporary service, from the 5th day of November, 1918:

Charles L. Bristol, jr.,  
Henry W. Reding, jr.,  
Elmo H. Conley,

James I. Boyce,  
Robert D. Longyear,  
Alfred M. Gagneux,  
Louis Etshokin,  
Donald E. Montgomery,  
John H. Fenton,  
Ralph L. Colton,  
Bruce Hoggson,  
Herman Siefke, jr.,  
Robert A. Skinner,  
Henry A. Orrick, jr.,  
Cecil L. Shockley,  
Perry McK. Sturges,  
John F. Kelsey,  
Howard L. Seaton,  
Samuel W. Morris,  
Stuart L. Peck,  
Harold M. Levy,  
Donald McL. Day,  
Ralph R. Brubaker,  
Frank F. Walker,  
Frederick S. Hodgman,  
Robert C. McKeen,  
Albert L. Baker,  
Vergil A. Davison,  
Charles D. Ingersoll,  
Robert R. Titus,  
Alexander A. Cameron,  
Frank N. Bolton,  
Harold M. Kennedy,  
Perry A. Howard, jr.,  
Francis P. Baeyertz,  
Cushing Phillips,  
Edward R. Simpson,  
Irving B. Levi,  
William R. Brent,  
John F. O'Rourke, jr.,  
Otis R. Marston,  
Allan C. Davis,  
Freeman L. Curtis,  
Frederick N. Worth,  
Harold Edwards,  
Henry S. Bothfeld,  
Carlisle C. McIvor,  
Caspar W. B. Townsend,  
Russell C. Lewis,  
Robert E. Christy,  
Ralph C. Taylor,  
Leonard M. Starbuck,  
Raymond W. Smith,  
Hoyt M. Leisure, and  
David H. Hammer.

The following-named warranted officers for temporary service, to be ensigns in the Navy, for temporary service, from the 1st day of December, 1918:

Charles H. Gordon,  
Otto Fuhrmann,  
Harry D. Leininger,  
Patrick T. Ryan,  
William J. Leidy,  
Guy H. Overlock,  
Thomas J. Eggleston,  
Flavel F. Law,  
Jasper I. Ward,  
John Richardson,  
Harry D. Collins,  
James E. Dougherty,  
Patrick J. Keough,  
Caesar Cooper,  
Herman Ruhle,  
Malcolm S. Brainerd,  
Forest E. Frost, and  
Frank M. Mugford.

The following-named enlisted men to be ensigns in the Navy for temporary service, from the 1st day of December, 1918:

David L. Walters,  
John E. Canoose,  
Harry C. Francis,  
Theron S. Hare,  
David Porter,  
Emory M. Sindledacker,  
Albert A. Webb,  
Sidney J. Brawner,  
Chester A. Johnson,

Rudolph Oeser,  
Mack Q. Wright,  
Daniel L. Ertel,  
Elmer Bergstrom,  
Walter A. Seymour,  
George A. Spedden, and  
Milford McQuilkin.

Paymaster Elwood A. Cobey to be a pay inspector in the Navy, with the rank of commander, for temporary service, from the 5th day of November, 1918.

Pay Clerk Joseph Simon to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of January, 1918.

The following-named acting pay clerks to be assistant paymasters in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918:

Letcher Pittman,  
Thomas T. Taylor,  
Crawford T. Folsom,  
Robert H. Wither,  
Guy B. Falconer,  
John E. Bonwell,  
Walter S. Rockwell,  
Frank Humbeutel,  
Charles A. Young, and  
Cheyney S. Evans.

The following-named carpenters to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

Armand Mayville,  
Joseph M. Kiernan,  
William W. Hastings,  
Frederick A. Johnson,  
Joseph Emms, and  
William R. Bagger.

The following-named assistant naval constructors of the United States Naval Reserve Force to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

W. Ogden Johnson and  
Noah W. Gokey.

The following-named citizens to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), for temporary service, from the 1st day of December, 1918:

James B. Welch,  
Roy E. Brown,  
Leopold R. Hussa,  
Roland G. Mayer,  
Joseph E. Roy,  
Frank L. Butterworth,  
William H. Balls,  
Donald G. Maxson,  
Emerson R. Bouvier,  
George V. Whittle,  
Anton Kauffman,  
George W. Henderson,  
Gerald W. Thomson,  
Kenneth Reid, and  
Roland P. Carr.

Chief Boatswain Michael J. J. Farley (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 1st day of July, 1918.

Chief Machinist Daniel Mullan (retired) to be a lieutenant on the retired list of the Navy, for temporary service, from the 11th day of September, 1918.

Pay Clerk Roland W. Bell (retired) to be an assistant paymaster on the retired list of the Navy, with the rank of lieutenant, for temporary service, from the 1st day of July, 1918.

Acting Pay Clerk Albert H. Gerbig to be an assistant paymaster in the Navy, with the rank of ensign, for temporary service, from the 1st day of December, 1918.

Paymaster John M. Hancock to be a pay inspector in the Navy, with the rank of commander, from the 11th day of January, 1918.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 5th day of June, 1918:

Frederick W. Pennoyer, jr.,  
Melville W. Powers,  
Charles F. Osborn,  
Claude O. Kell,  
Howard L. Vickery, and  
Glenn H. Easton.

The following-named officers to be assistant naval constructors in the Navy, with the rank of lieutenant (junior grade), from the 23d day of September, 1918:

Russell S. Hitchcock,  
Sidney E. Dudley,  
Edmund E. Brady, jr.,  
Theodore L. Shumacher,  
Forrest P. Sherman,  
Henry A. Hutchins, jr.,  
Arthur C. Miles,  
Harold M. Horne,  
Andrew I. McKee,  
Douglas W. Coe,  
Joseph W. Fowler, and  
John D. Crecca.

The following-named lieutenants on the retired list to be lieutenant commanders on the retired list of the Navy, from the 1st day of July, 1918:

William G. Hannum,  
George W. Danforth, and  
Edison E. Scranton.

Lieut. Frederick W. Milner (retired) to be a lieutenant commander on the retired list of the Navy from the 27th day of September, 1918.

Lieut. (Junior Grade) Eugene D. McCormick (retired) to be a lieutenant on the retired list of the Navy from the 26th day of October, 1918.

Ensign Arnold H. Vanderhook (retired) to be a lieutenant (junior grade) on the retired list of the Navy from the 21st day of October, 1918.

Maj. (temporary) Emile P. Moses to be a major in the Marine Corps from the 7th day of October, 1918.

The following-named captains to be majors in the Marine Corps, for temporary service, from the 1st day of July, 1918:

De Witt Peck and  
Archie F. Howard.

The following-named first lieutenants to be captains in the Marine Corps, for temporary service, from the 1st day of July, 1918:

Edward D. Kalbfleisch,  
Chaplain G. Hicks,  
Gustav H. Kaemmerling,  
Colis Mitchum,  
Leo D. Hermle, and  
Frank R. Armstead.

The following-named second lieutenants to be first lieutenants in the Marine Corps, for temporary service, from the 16th day of August, 1918:

John M. McGregor,  
Clinton H. Wooten,  
Henry A. Carr,  
William T. Hutchinson,  
William G. Olive,  
Orrel A. Inman,  
Henry N. Hale,  
Harold Powell,  
William S. Kelley, jr.,  
John F. Ryan,  
James E. Smith,  
Albyn A. Wilcox,  
Leonard S. Burns,  
George C. Schleeter, and  
Harold E. Kellogg.

#### POSTMASTERS.

##### ALABAMA.

William K. Cooper to be postmaster at Northport, Ala., in place of W. K. Cooper. Office became presidential January 1, 1918.

Joseph H. Read to be postmaster at Bessemer, Ala., in place of Daniel W. Houston, deceased.

##### ARKANSAS.

Levi N. Douglas to be postmaster at Trumann, Ark., in place of L. N. Douglas. Incumbent's commission expired January 31, 1918.

Robert H. Smiley to be postmaster at Hot Springs, Ark., in place of R. H. Smiley. Incumbent's commission expired March 2, 1918.

T. W. Sparks to be postmaster at Harrisburg, Ark., in place of T. W. Sparks. Incumbent's commission expired April 29, 1918.

Lucy C. Pullen to be postmaster at Foreman, Ark., in place of Lucy C. Dollarhide, married.



Thomas L. Smith to be postmaster at Lepanto, Ark., in place of W. E. Lamb, deceased. Office became presidential January 1, 1917.

Isaac G. Ritchie to be postmaster at Hardy, Ark., in place of Arthur Sullivan, resigned. Office became presidential January 1, 1918.

Alvin G. Stamps to be postmaster at Earl, Ark., in place of J. H. Nance, resigned.

#### CALIFORNIA.

Nelson R. Feirl to be postmaster at Portola, Cal., in place of Andrew M. Isom, deceased.

#### COLORADO.

Edward M. Robinson to be postmaster at Wray, Colo., in place of Lillian A. Hawks, resigned.

Dwight Cline to be postmaster at La Salle, Colo., in place of Clinton E. Mason, declined.

Vivian Sadler to be postmaster at Cheyenne Wells, Colo., in place of Samuel W. Baber, resigned.

#### CONNECTICUT.

Raymond E. Allen to be postmaster at Danielson, Conn., in place of George M. Pilling, removed.

Henrietta H. Burr to be postmaster at Baltic, Conn., in place of Thomas J. Sullivan, resigned.

#### DELAWARE.

James J. English to be postmaster at Wilmington, Del., in place of J. J. English. Incumbent's commission expired July 2, 1917.

Alfred L. Cummins to be postmaster at Smyrna, Del., in place of A. L. Cummins. Incumbent's commission expired July 2, 1917.

Rhubert R. German to be postmaster at Delmar, Del., in place of R. R. German. Incumbent's commission expired July 2, 1917.

#### FLORIDA.

Henry A. Drake to be postmaster at Port St. Joe, Fla., in place of J. E. Maddox, resigned.

Edwin E. Williams to be postmaster at Passagrille, Fla., in place of F. S. Kanode, resigned.

Alexander J. Burnham to be postmaster at Bushnell, Fla., in place of L. L. Sutton, deceased.

#### GEORGIA.

Henry M. Miller to be postmaster at Colquitt, Ga., in place of H. M. Miller. Incumbent's commission expired May 6, 1917.

Wiley M. Rogers to be postmaster at Union City, Ga., in place of R. F. Duckworth, resigned.

Julian E. Hart to be postmaster at Sylvania, Ga., in place of H. S. White, resigned.

Robert H. Wheelless to be postmaster at Naskville, Ga., in place of A. C. Sweat, removed.

Oscar O. Owens to be postmaster at Moultrie, Ga., in place of Charles Beaty, deceased.

Robert E. Barfield to be postmaster at Hahira, Ga., in place of W. W. Webb, resigned.

Ellen White to be postmaster at Fort Screven, Ga., in place of W. D. Evans. Office became presidential October 1, 1917.

Walter W. Daves to be postmaster at Cartersville, Ga., in place of H. J. Jolly, resigned.

#### ILLINOIS.

John H. Henson to be postmaster at Xenia, Ill., in place of J. H. Henson. Incumbent's commission expired August 27, 1917.

Charles C. Clymore to be postmaster at Vienna, Ill., in place of C. C. Clymore. Incumbent's commission expired May 5, 1918.

Benjamin R. Croxen to be postmaster at Peotone, Ill., in place of B. R. Croxen. Incumbent's commission expired August 15, 1917.

David R. Bennett to be postmaster at Panama, Ill., in place of D. R. Bennett. Office became presidential April 1, 1917.

Walter V. Berry to be postmaster at Irving, Ill., in place of W. V. Berry. Office became presidential October 1, 1918.

George H. Franzen to be postmaster at Fairbury, Ill., in place of G. H. Franzen. Incumbent's commission expired June 27, 1918.

Edward S. Bray to be postmaster at Scales Mound, Ill., in place of James Carr, resigned.

Edward W. Childe to be postmaster at Martinsville, Ill., in place of D. B. Ulrey, resigned.

William J. West to be postmaster at Odin, Ill., in place of J. M. Dace, resigned.

Blanche V. Anderson to be postmaster at Leland, Ill., in place of E. C. Schweitzer. Incumbent's commission expired July 25, 1917.

Inez M. Garrison to be postmaster at Flanagan, Ill., in place of W. F. Lutyen, resigned.

Owen C. McCartney to be postmaster at Hamilton, Ill., in place of W. H. Harkrader, resigned.

Peter C. Burrus to be postmaster at Bluffs, Ill., in place of E. D. Beird, resigned.

Noel V. Greathouse to be postmaster at West Frankfort, Ill., in place of Robert L. Cantrell, resigned.

Frederick W. Hartbank to be postmaster at Tolono, Ill., in place of P. H. Mulligan, resigned.

John F. Mains to be postmaster at Stronghurst, Ill., in place of C. E. Fort, resigned.

Katherine Adams to be postmaster at Riverton, Ill., in place of Emory Edwards, resigned. Office became presidential April 1, 1918.

Harry C. Shales to be postmaster at North Crystal Lake, Ill., in place of John R. McWhorter, resigned.

Tilson V. Worland to be postmaster at Neoga, Ill., in place of J. C. Neal, deceased.

Ernest C. Richter to be postmaster at Menard, Ill., in place of Perry F. Hathaway. Incumbent's commission expired March 24, 1918.

Irma C. Barlow to be postmaster at Loda, Ill., in place of Margaret Keegan, resigned.

Margaret E. Taylor to be postmaster at Keithsburg, Ill., in place of W. S. Cabeen, deceased.

William H. Rodebaugh to be postmaster at Greenup, Ill., in place of James M. Nunemaker, resigned.

Grace E. Tolle to be postmaster at Glasford, Ill., in place of Earl Bitner, resigned.

Charles T. Wilson to be postmaster at Eldorado, Ill., in place of W. J. Bixler, resigned.

Elmer T. Selby to be postmaster at Camp Point, Ill., in place of William Vollbracht, resigned.

Fannie E. Sheahan to be postmaster at Altona, Ill., in place of Benjamin T. Hart, removed.

#### INDIANA.

Fred H. Foster to be postmaster at Oxford, Ind., in place of M. P. Halgren, declined.

Clarence B. Taylor to be postmaster at Howe, Ind., in place of C. E. Schaeffer, resigned.

Earle A. Smith to be postmaster at Gosport, Ind., in place of G. B. Spicer, resigned.

Nathan W. Ringo to be postmaster at Dugger, Ind., in place of L. E. Chowning, resigned.

Emma A. Scott to be postmaster at Boswell, Ind., in place of Emmett Scanlon, resigned.

#### IOWA.

Edgar A. Greenway to be postmaster at Pleasantville, Iowa, in place of John H. Kerr, resigned.

George A. Moss to be postmaster at Persia, Iowa, in place of Freeda D. Hamann, resigned.

Fred A. Gefke to be postmaster at Hawarden, Iowa, in place of William Dealy, resigned.

#### KENTUCKY.

Isaac E. Newton to be postmaster at Earlington, Ky., in place of C. E. Barnett, resigned.

#### LOUISIANA.

Thomas Siddon to be postmaster at Winnsboro, La., in place of Martha E. Thompson, resigned.

Lillian E. Collins to be postmaster at West Monroe, La., in place of L. E. Russell, resigned.

Chester A. Thompson to be postmaster at Ville Platte, La., in place of Christina Derouen, resigned.

Jesse L. Fowler to be postmaster at Oak Grove, La., in place of H. M. Bailey, resigned.

John D. Fultz to be postmaster at Newellton, La., in place of A. N. Murdoch, resigned.

#### MICHIGAN.

Cornelius A. Bates to be postmaster at Marine City, Mich., in place of Charles J. Tarte, resigned.

#### MINNESOTA.

Milton P. Mann to be postmaster at Worthington, Minn., in place of John F. Flynn, resigned.

Charles J. Hohenstein to be postmaster at Gibbon, Minn., in place of John Friedl, resigned.

William Hope to be postmaster at Morris, Minn., in place of M. F. Finnegan, deceased.

Clarence D. Maxey to be postmaster at Backus, Minn., in place of Frank W. Zaffke, resigned.

#### MISSISSIPPI.

Henry B. Edwards to be postmaster at Shuqualak, Miss., in place of Oliva M. Jenkins, resigned.

Minnie O. Sharbrough to be postmaster at Rolling Fork, Miss., in place of John T. Griffin, declined.

Lawson A. Hill to be postmaster at Cleveland, Miss., in place of Solomon Seelbinder. Incumbent's commission expired September 18, 1917.

William P. Wildberger to be postmaster at Clarksdale, Miss., in place of R. N. Harris, resigned.

#### MISSOURI.

Charles B. Neville to be postmaster at Lawson, Mo., in place of Bayard C. Wilson, resigned.

Letcher L. Robinson to be postmaster at Chamois, Mo., in place of James Robinson, deceased.

#### NEBRASKA.

Joseph Fenimore to be postmaster at Merna, Nebr., in place of J. Fenimore. Incumbent's commission expired July 11, 1917.

Orris K. Jones to be postmaster at Lexington, Nebr., in place of O. K. Jones. Incumbent's commission expired February 24, 1918.

George W. Howe to be postmaster at Wisner, Nebr., in place of V. W. Clayton. Incumbent's commission expired June 21, 1917.

Edgar T. Lay to be postmaster at Seneca, Nebr., in place of George McCawley, resigned.

Glenn C. Chadderdon to be postmaster at Cambridge, Nebr., in place of James H. Carroll, resigned.

Frank R. Galbraith to be postmaster at Ainsworth, Nebr., in place of Charles H. Short, resigned.

#### NEW HAMPSHIRE.

Frank P. Hobbs to be postmaster at Wolfeboro, N. H., in place of F. P. Hobbs. Incumbent's commission expired July 26, 1917.

#### NEW MEXICO.

Chester G. Parsons to be postmaster at Wagon Mound, N. Mex., in place of Joseph C. Swain, resigned.

#### NORTH CAROLINA.

Sarah A. Lunceford to be postmaster at Smithfield, N. C., in place of A. M. Sanders, resigned.

#### NORTH DAKOTA.

Pearl C. Forslof to be postmaster at Warwick, in place of Christian O. Ness. Office became presidential July 1, 1917.

Arthur L. Young to be postmaster at Bowman, N. Dak., in place of Lillian B. Totten, removed.

#### OHIO.

George R. Irwin to be postmaster at Upper Sandusky, Ohio, in place of Marshall E. Foucht, removed.

Orville F. Barcus to be postmaster at Sunbury, Ohio, in place of Fred D. Baker, resigned.

#### OKLAHOMA.

Irving O. Diggs to be postmaster at Stillwater, Okla., in place of I. O. Diggs. Incumbent's commission expired February 2, 1918.

David G. Woodworth to be postmaster at Kingfisher, Okla., in place of D. G. Woodworth. Incumbent's commission expired March 19, 1918.

Baker B. Woodward to be postmaster at Bokoshe, Okla., in place of B. B. Woodward. Office became presidential April 1, 1918.

Hattie E. Malloy to be postmaster at Laverne, Okla., in place of John W. Bane, resigned.

Vernon B. Ellington to be postmaster at Wagoner, Okla., in place of Robert L. Windsor, resigned.

Claud Hannon to be postmaster at Wirt, Okla., in place of J. C. Cobb, removed.

Walter A. Thompson to be postmaster at Tahlequah, Okla., in place of A. B. Cunningham, resigned.

James G. Sprouse to be postmaster at McCurtain, Okla., in place of Clifford P. Martin, resigned.

Bronte L. Dean to be postmaster at Binger, Okla., in place of Opal C. Hawn, resigned.

#### OREGON.

Guy W. Brace to be postmaster at Yamhill, Oreg., in place of Harry C. Gist, deceased.

Richard H. Yates to be postmaster at Willamina, Oreg., in place of Paul C. Belt, resigned.

Exel Vogel to be postmaster at Rainier, Oreg., in place of J. W. Stacy, resigned.

Henry H. McReynolds to be postmaster at Pilot Rock, Oreg., in place of Ross A. Pickering, resigned.

#### PENNSYLVANIA.

J. Boyd D. Stewart to be postmaster at Wilson, Pa., in place of J. B. D. Stewart. Office became presidential January 1, 1918.

Edward Ace to be postmaster at Nicholson, Pa., in place of E. Ace. Incumbent's commission expired January 19, 1918.

Isaac Scarborough to be postmaster at New Hope, Pa., in place of I. Scarborough. Incumbent's commission expired January 15, 1918.

John A. Waltman to be postmaster at Mayport, Pa., in place of J. A. Waltman. Office became presidential January 1, 1918.

George B. M. Ward to be postmaster at Laceyville, Pa., in place of G. B. M. Ward. Incumbent's commission expired March 20, 1918.

Spurgeon L. Wilson to be postmaster at Driftwood, Pa., in place of S. L. Wilson. Office became presidential April 1, 1918.

James A. Cooper to be postmaster at Brockwaysville, Pa., in place of J. A. Cooper. Incumbent's commission expired May 26, 1918.

Thomas F. McHale to be postmaster at Olyphant, Pa., in place of John J. Moran, removed.

Percy W. Shepard to be postmaster at New Albany, Pa., in place of W. F. Packard, resigned.

John J. Roll to be postmaster at Natrona, Pa., in place of James S. Gordon. Incumbent's commission expired January 15, 1918.

Margaret C. Brown to be postmaster at Langeloth, Pa., in place of Thomas B. McKaig, resigned. Office became presidential October 1, 1916.

William A. Clancy to be postmaster at Foxburg, Pa., in place of J. M. Keesey, removed.

Joseph A. Hanley to be postmaster at Erie, Pa., in place of John T. Brew, resigned.

William D. First to be postmaster at Conneaut Lake, Pa., in place of G. B. Livingston, resigned.

Blair Rorabaugh to be postmaster at Clymer, Pa., in place of J. H. Fagan, resigned.

#### RHODE ISLAND.

Hartzell R. Birch to be postmaster at Kingston, R. I., in place of Alonzo A. Greeman, resigned.

#### SOUTH CAROLINA.

William A. Hill to be postmaster at Newberry, S. C., in place of W. A. Hill. Incumbent's commission expired August 2, 1917.

Luther McLaurin to be postmaster at McColl, S. C., in place of L. McLaurin. Incumbent's commission expired March 19, 1918.

Fred Mishoe to be postmaster at Greelyville, S. C., in place of F. Mishoe. Office became presidential January 1, 1918.

Inez H. Whitlock to be postmaster at Ridgeway, S. C., in place of Richard W. Adams. Appointee not commissioned.

William T. Reynolds, jr., to be postmaster at Mount Pleasant, S. C., in place of John A. Patjens, resigned.

Toliver D. Earle to be postmaster at Landrum, S. C., in place of Rufus G. Durham, resigned.

Marie V. Keil to be postmaster at Allendale, S. C., in place of James E. Searson, resigned.

Bruce K. Arnold to be postmaster at Woodruff, S. C., in place of B. K. Arnold. Incumbent's commission expired August 1, 1917.

Francis M. Cross to be postmaster at Westminster, S. C., in place of F. M. Cross. Incumbent's commission expired March 19, 1918.

Joshua L. Young to be postmaster at Ware Shoals, S. C., in place of J. L. Young. Incumbent's commission expired February 7, 1918.

Arthur R. Garner to be postmaster at Timmons ville, S. C., in place of A. R. Garner. Incumbent's commission expired March 19, 1918.

#### SOUTH DAKOTA.

Arnold Poulsen to be postmaster at Lennox, S. Dak., in place of Ailt J. Miller, resigned.

Claud I. Force to be postmaster at Clear Lake, S. Dak., in place of John Knuckey, resigned.

Perry H. Clute to be postmaster at Bigstone City, S. Dak., in place of Kate A. Schnacke, deceased.

Israel R. Krause to be postmaster at Java, S. Dak., in place of I. R. Krause. Office became presidential April 1, 1918.

#### TENNESSEE.

John S. Gilbreath to be postmaster at Pulaski, Tenn., in place of J. S. Gilbreath. Incumbent's commission expired March 19, 1918.

Gordon B. Baird to be postmaster at Obion, Tenn., in place of G. B. Baird. Incumbent's commission expired January 12, 1918.

William H. Howard to be postmaster at Milan, Tenn., in place of W. H. Howard. Incumbent's commission expired March 11, 1918.

Arch W. Ashton to be postmaster at Hohenwald, Tenn., in place of A. W. Ashton. Incumbent's commission expired May 2, 1918.



B. Hampton Moore to be postmaster at Halls, Tenn., in place of B. H. Moore. Incumbent's commission expired April 6, 1918.

Robert W. Caldwell to be postmaster at Gallatin, Tenn., in place of R. W. Caldwell. Incumbent's commission expired March 25, 1918.

Thomas P. Rucker to be postmaster at Franklin, Tenn., in place of T. P. Rucker. Incumbent's commission expired June 29, 1918.

Franklin W. Latta to be postmaster at Dyersburg, Tenn., in place of F. W. Latta. Incumbent's commission expired March 9, 1918.

James M. Scarborough to be postmaster at Dover, Tenn., in place of J. M. Scarborough. Incumbent's commission expired March 9, 1918.

Robert L. Long to be postmaster at Church Hill, Tenn., in place of R. L. Long. Office became presidential October 1, 1917.

Enos O. Thomas to be postmaster at Camden, Tenn., in place of E. O. Thomas. Incumbent's commission expired March 25, 1918.

Benjamin W. Scott to be postmaster at Bradford, Tenn., in place of B. W. Scott. Office became presidential April 1, 1918.

John T. Clary to be postmaster at Bellbuckle, Tenn., in place of J. T. Clary. Incumbent's commission expired August 22, 1917.

Eugene F. Allen to be postmaster at Ashland City, Tenn., in place of E. F. Allen. Incumbent's commission expired June 24, 1918.

Addie D. Bell to be postmaster at Springfield, Tenn., in place of A. D. Bell. Incumbent's commission expired June 24, 1918.

Alson C. Patton to be postmaster at Bells, Tenn., in place of G. W. Bell, resigned.

Dudley D. Edgemon to be postmaster at Englewood, Tenn., in place of Patrick H. Toomey, resigned.

Haggai M. Miller to be postmaster at Mountain City, Tenn., in place of M. W. Jackson, deceased.

Jessie R. Alexander to be postmaster at Mountpleasant, Tenn., in place of L. H. Hammond, resigned.

Lucille Morris to be postmaster at Tiptonville, Tenn., in place of Ira LaF. Lemonds, resigned.

#### TEXAS.

Allie R. Arnold to be postmaster at Trinity, Tex., in place of W. W. Trow, deceased.

#### UTAH.

Charlotte H. Nelson to be postmaster at Castlegate, Utah, in place of D. R. Evans, resigned.

Thomas Brimley to be postmaster at Farmington, Utah, in place of Nephi O. Palmer, resigned.

Clyde Panter to be postmaster at Magna, Utah, in place of Randal M. Wooley, resigned.

#### VIRGINIA.

Rose A. Milligan to be postmaster at Urbanna, Va., in place of Carroll C. Chowning, resigned.

#### WASHINGTON.

Eugene E. Wood to be postmaster at Deer Park, Wash., in place of A. J. Peters, deceased.

Isaac H. Jennings to be postmaster at Spangle, Wash., in place of Alice Sullivan, resigned.

#### WEST VIRGINIA.

Arthur T. McCort to be postmaster at Follansbee, W. Va., in place of James A. Stephens, resigned.

#### WISCONSIN.

Douglas S. Knight to be postmaster at Bayfield, Wis., in place of Henry Wachsmuth, sr., removed.

Palmer G. Slauson to be postmaster at Evansville, Wis., in place of Alexander Richardson, deceased.

Gustav B. Husting to be postmaster at Mayville, Wis., in place of Paul A. Herberg, deceased.

Edward A. Severson to be postmaster at Neenah, Wis., in place of J. P. Keating. Incumbent's commission expired October 4, 1917.

## HOUSE OF REPRESENTATIVES.

WEDNESDAY, December 4, 1918.

The House met at 12 o'clock noon.

The Rev. James Sherra Montgomery, of the Calvary Methodist Episcopal Church, Washington, D. C., offered the following prayer:

Almighty God, help us that we may ever lift our eyes unto the hills from whence cometh our strength. Our strength cometh from the Lord. Regard our Nation in great favor, direct us by Thy wisdom, and inspire us by Thy truth. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

#### LEAVE OF ABSENCE.

Mr. CAMPBELL of Kansas, by unanimous consent, was granted leave of absence for one week, on account of illness.

#### CONTESTED ELECTION CASE—WICKERSHAM AGAINST SULZER.

Mr. WILSON of Louisiana, from the Committee on Elections No. 1, presented a privileged report (No. 839) from said committee in the contested election case of Wickersham v. Sulzer, which was ordered printed and to lie on the Speaker's table.

#### MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Waldorf, its enrolling clerk, announced that the Senate had passed without amendment the bill of the following title:

H. R. 13153. An act extending the time for the construction of a bridge across the Arkansas River, at the foot of Garrison Avenue, at Fort Smith, Ark.

#### QUESTION OF PERSONAL PRIVILEGE.

Mr. FREAR. Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise? Mr. FREAR. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. FREAR. On the 23d day of September last I made a speech on the floor of the House in regard to the Security League of New York and briefly discussed the charges the league had made against the American Congress. Immediately afterwards Mr. Lydecker, of the Security League, sent a letter to the Speaker of the House, in which he charged me with "pacifism or worse." The last term would be indefinite were it not for the fact that the league had been charging Members of the House generally, myself included, with pacifism and with disloyalty.

On October 1 last the New York Tribune published an editorial, from which I take the following extract:

It is true that the National Security League has been denounced in Congress. This was done by Representative FREAR, of Wisconsin, whom the league opposed for reelection because he had voted against the declaration of war and against the Kahn amendment, which was essential to the selective draft, and for the notorious McLeane and Cooper amendments, thereby failing to stand the "acid test" stipulated for by President Wilson. So much for FREAR.

Hearst attacks the National Security League for a similar reason, namely, that it has denounced his disloyalty.

Mr. Hearst's criticism of the Security League, according to the Tribune, is because the league has attacked his "disloyalty," "a similar reason" advanced, according to this paper, for the league's attack upon myself.

Mr. Speaker, there are a number of other communications that I have with me and that I will submit later to the proper committee, but I think that presented is sufficient to qualify under the rule of personal privilege.

The SPEAKER. The gentleman may proceed.

Mr. COOPER of Wisconsin. Mr. Speaker, this is a matter of great importance to the membership of the House, and I raise the point that there is no quorum present.

The SPEAKER. The Chair will count. [After counting.] Evidently there is no quorum present.

Mr. GARRETT of Tennessee and Mr. KITCHIN moved a call of the House.

The roll was called, and the following Members failed to answer to their names:

Blackmon	Ferris	Langley	Sears
Campbell, Kans.	Fess	Littlepage	Sells
Carlin	Flood	McClintic	Shouse
Carter, Mass.	Flynn	McCormick	Siegel
Carter, Okla.	Focht	McLaughlin, Pa.	Sims
Cary	Francis	Maher	Smith, C. B.
Church	Fuller, Mass.	Mason	Stedman
Connally, Tex.	Gallivan	Montague	Stephens, Miss.
Connelly, Kans.	Garrett, Tex.	Mudd	Sterling
Costello	Gray, N. J.	Nelson, J. M.	Sullivan
Cox	Hamilton, N. Y.	Nicholls, S. C.	Swift
Cramton	Haugen	Nolan	Thomas
Crisp	Hayden	Norton	Tinkham
Curry, Cal.	Hayes	O'Shaunessy	Van Dyke
Dale, N. Y.	Heintz	Pratt	Vare
Dale, Vt.	Helm	Price	Venable
Decker	Hensley	Ragsdale	Voigt
Delaney	Hood	Raker	Volstead
Dent	Howard	Roberts	Waldow
Dies	Hull, Tenn.	Rowland	Walker
Drukker	Hutchinson	Rucker	Welling
Dunn	Johnson, S. Dak.	Russell	Welty
Dupré	Juhl	Sanders, La.	Wilson, Tex.
Ellsworth	Keboe	Sanders, N. Y.	Wingo
Emerson	Key, Ohio	Scott, Mich.	Woods, Iowa
Estopinal	Kiess, Pa.	Scott, Pa.	Woodyard
Fairchild, G. W.	Kreider	Scully	

The SPEAKER. On this vote 326 Members—a quorum—have answered to their names.

Mr. KITCHIN. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.